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ABSTRACT

Student activity pages, teacher background information, and lesson ideas for teaching about law in social studies classrooms are presented. The first section, "Law and Alabama History," focuses on law at the state level. Included are a brief history of Alabama's court system and prison system, a summary of rules for safe driving, a law enforcement code of ethics, and suggested resources. Section II, "Law and Contemporary World Affairs," focuses on law at the international level. A suggested course outline is followed by a description of teaching units and recommended teacher-directed activities. Directions for an activity entitled "Travel Club" and a simulation activity illustrate both the need for laws and the importance of international cooperation. Although activities in Section I focus primarily on Alabama's legal system, they can be adapted for use in other states. Each lesson includes procedures and reproducible student handouts. (LH)

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LAW: THE LANGUAGE OF LIBERTY

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PREFACE

These Supplemental Materials Packets for Social Studies teachers are the culmination of a one-year cooperative effort involving the Administrative Office of Courts, the State Department of Education, the Alabama Education Association, and the Alabama Council for School Administration and Supervision.

The packets are being provided in an effort to furnish specific information to teachers and students about Alabama's laws and its system of justice. These materials and activities are not meant to substitute for the established curriculum in any way, but rather, they are intended to enhance it.

The packets may be taken apart so the suitable activities can be duplicated. In order to provide variety, as many ideas as possible have been included. Therefore, it is hoped that teachers will choose only those activities they feel will be appropriate for their students.

In order to help the project staff determine the usefulness of the program, an evaluation sheet has been provided at the end of each packet. Any comments or suggestions made on the evaluation sheet will be greatly appreciated.

Finally, these packets were designed to attain two goals, to provide assistance to teachers and help create a greater respect among young people for the law and its purposes.

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LAW AND ALABAMA HISTORY

Laws are rules which regulate the way people live together in society. Laws guarantee the maximum opportunity for individual freedom and development. As society changes so must the laws of society change in order to meet the new needs of the people. The more complex a society becomes, the more essential are the laws that guide human behavior within it.

There can be no doubt that law and changes that have occurred in the law have played an essential role in the history of the State of Alabama. Additionally, there can be little doubt that Alabama will be a much more complex society in the future, and more changes in the law will be necessary.

The first section of activities on "Law and Alabama History" is designed to make the students aware of such factors in their past and future existences. As our society becomes more complex, it is important that young people understand the significance of law and each citizen's participation in determining and supporting that law.

LAW AND CONTEMPORARY WORLD AFFAIRS

Law is an essential element of society because it enables us to provide order and direction to our lives. However, it is also becoming obvious that as the world becomes increasingly interdependent and complex, the need for laws governing relations between nations will be an absolute necessity. The only alternative to world conflict is to establish a framework of international laws that will provide us a means to cooperate with each other and settle disputes short of open conflict. To accomplish this, we must explain to students the role and necessity of these "international laws". If students can see the "big picture" of the world as a whole and the importance of nations working together in a civilized, mutually beneficial manner, then perhaps they will be able to look inward and see how important cooperation can be in their own lives.

It is with the hope of achieving that objective that the second section of activities on "Law and Contemporary World Affairs" is offered.

SECTION I

LAW AND ALABAMA HISTORY

A BRIEF HISTORY OF THE ALABAMA COURT SYSTEM

TO THE TEACHER

The following material on the history of Alabama's Court System can be used as a teacher and/or student resource.

NOTE

You may want to summarize this information before duplicating it for the students. You may also wish to prepare a question sheet for the students which would cover the major points.

EXTENDED ACTIVITIES

1. Have your students prepare a series of questions (which can be done through brainstorming) that they would like to have answered by a judge, a supreme court justice, a policeman, an attorney, or anyone else in law enforcement or the justice department. Have the class select the best 5 or 10 questions to include in a letter or series of letters. The letter should also provide an explanation of the class project. Send the letter(s) to the appropriate officials.

The same type of activity can be used in preparation for having a "Guest Speaker" come to your class to talk with the students and to answer their questions.

2. Alabama's judges are now elected to office. Using the chalkboard to list arguments, have the students suggest advantages and disadvantages for both types of selection processes, election and appointment.

3. Prepare a bulletin board by having students bring in articles from newspapers and magazines showing current "on-going" changes in specific laws of Alabama through acts of the Legislature and Supreme Court rulings. This activity can continue throughout the semester.

A BRIEF HISTORY OF THE ALABAMA COURT SYSTEM

THE APPELLATE COURTS

THE SUPREME COURT

The judicial branch of Alabama's government was created by the Constitution of Alabama, adopted August 2, 1819, with the judicial power of the state vested in a supreme court, circuit courts sitting in each county and inferior courts of law and equity.

Five circuit judgeships were initially authorized and these circuit judges were required to perform the duties of the Supreme Court until otherwise provided by the General Assembly.

Circuit judges were selected by the General Assembly and authorized to hold office during good behavior. The Constitution was amended in 1930, providing for six-year terms.

The Supreme Court was given appellate jurisdiction along with the power to issue necessary and remedial writs. It was also authorized to exercise general superintendence over all state courts.

The first term of the Supreme Court was held at Cahaba, the state's capital, on May 10, 1920. This first court consisted of Circuit Judges Reuben Saffold, Henry D. Webb, Richard Ellis and Clement C. Clay, who was elected chief justice. A. S. Lipscomb, the fifth circuit judge was not present. Nine cases were brought before the court, mainly dealing with matters of pleading and practice.

In 1921, a sixth circuit judgeship was created and a seventh was established in 1928.

In 1932, the legislature enacted a law which established a separate Supreme Court and reduced the number of judges on the Supreme Court to three. The new law also provided that they be elected by both houses of the legislature for six-year terms. This term length was in line with the six-year term which had been established by constitutional amendment in 1930.

In 1927, the court moved to the new capital, Tuscaloosa, and to Montgomery in 1947 when the capital was again moved.

In 1851, the judgeships on the court were increased to five, but reduced back to three in 1854. In 1867, a new constitution was framed under the reconstruction laws which provided that judges be elected by popular vote.

By 1889, the number of judges on the court had been increased back to four and to five by 1891. In 1904, the legislature added two more positions and the number stayed at seven for 65 years.

In 1940, the Supreme Court, together with the Court of Appeals, moved from the east wing of the Capitol to the present Judicial Building and the court began to wear judicial robes during formal sessions. In 1943, the court first recognized the common law writ of error coram nobis as an appropriate remedy for the claim that incarceration is due to the failure to observe fundamental fairness and justice, even after a sentence has been affirmed by the state's highest court.

It was in 1953 that the court was first provided with law clerks and in 1955, the adoption of revised rules of the Supreme Court became effective. In 1969, the legislature provided for the number of supreme court justices to be increased to nine.

In 1971, legislation was adopted eliminating certain procedural delays in the submission of cases in the appellate courts.

The Supreme Court adopted new rules of civil procedure for the state courts in 1973, and new rules of appellate procedure were adopted by the court in 1975. The Supreme Court is currently in the process of revising the state's rules of criminal procedure.

On December 18, 1973, the state's electorate approved a complete revision of the Judicial Article to the State Constitution. The constitutional authority of the Supreme Court was defined as follows:

> "The Supreme Court shall be the highest court of the state and shall consist of one chief justice and such number of associate justices as may be prescribed by law."
>
> "The Supreme Court shall have original jurisdiction (1) of cases and controversies as provided by this Constitution, (2) to issue such remedial writs or orders as may be necessary to give it general supervision and control of courts of inferior jurisdiction, and (3) to answer questions of state law certified by a court of the United States."
>
> "The Supreme Court shall have such appellate jurisdiction as may be provided by law."

Generally, the Supreme Court has the following jurisdiction and powers under statute: (1) To exercise appellate jurisdiction coextensive with the state, under such restrictions and regulations as are prescribed by law. (2) To exercise original jurisdiction in the issue and determinations of writs of quo warranto and mandamus in relation to matters in which no other court has jurisdiction. (3) To issue writs of injunction, habeas corpus and such other remedial and original writs as are necessary to give it general superintendence and control of courts of inferior jurisdiction. (4) To make and promulgate rules governing the administration of all courts. (5) To punish for contempt by the infliction of a fine not exceeding $100 and imprisonment not exceeding 10 days or both.

The court is also authorized by law to give advisory opinions to the governor and the legislature on important constitutional questions. The court may appoint advisory and standing committees and establish additional duties for judges. It hears all utility rate case appeals from the Alabama Public Service Commission.

THE COURTS OF APPEAL

In his first message to the legislature on January 17, 1911, Governor Emmet O'Neal of Florence declared: "It is apparent that our Supreme Court needs relief. The cases coming before that body are too numerous for that court as presently constituted to determine with promptness and at the same time to give the care which many of them, from their grave importance, demand. Every utterance of the Supreme Court should be the last word, and should represent the utmost research obtainable."

During the 1911 legislative session, with Governor O'Neal's support, a new three member Court of Appeals was established. The governor immediately named Richard W. Walker of Huntsville, John Pelham of Anniston and Edward de Graffenreid of Greensboro as judges.

The new Court of Appeals was given final appellate jurisdiction of all criminal cases in which the punishment did not exceed 20 years and in civil suits where the amount involved was not more than $1,000. Two hundred and sixty cases were transferred from the Supreme Court to the docket of the Court of Appeals at its first session in 1911.

In 1969, the legislature separated the Court of Appeals into a Court of Criminal Appeals and a Court of Civil Appeals. The new Court of Civil Appeals was activated that year with three judges. The Court of Criminal Appeals also initially was constituted with three judges but that number was increased to five in 1971.

The Court of Criminal Appeals has exclusive appellate jurisdiction of all misdemeanors, including violations of city ordinances, all felonies and all post conviction writs in criminal cases. The court also has original jurisdiction in the issuance of remedial writs necessary to give it general superintendence and control of jurisdictions inferior to it in matters over which it has exclusive appellate jurisdiction. Judgment of the Court of Criminal Appeals is final unless, subsequent to overruling application for rehearing, petition for certiorari is granted by the Supreme Court.

The Court of Civil Appeals has exclusive appellate jurisdiction of all suits at law where the amount at issue does not exceed $10,000; all appeals from administrative agencies; all appeals in domestic relations cases (including annulment, divorce, adoption and child custody) and all extraordinary writs arising therefrom; all workmen's compensation and unemployment compensation cases.

THE CHIEF JUSTICE

Until 1867, when a new constitution provided for the first popular election of appellate judges, the chief justice was elected by the members of the court. Under the new elective process established by the constitutional revision of 1867, E. W. Peck became the first chief justice elected by the people. At that same election Thomas M. Peters and B. F. Saffold became the first associate justices to be elected by popular vote.

During the first decade of the 1900's the State Bar had become interested in judicial reform. At the bar association's meeting on July 13, 1910, Judge Joseph H. Nathan of Sheffield, chairman of the bar's committee on jurisprudence and law reform, proposed the creation of the new Court of Appeals, a matter accomplished at the following year's legislative session. Governor O'Neal supported the creation of the new court and on May 10, 1912, he appointed a committee to study and suggest further judicial reforms to the legislature. In his letter appointing the committee, Governor O'Neal wrote:

> "As the State has grown in wealth and population, litigation correspondingly increased and many new courts have been established. The necessity for these additional courts could, in my judgment, have been largely obviated had we reformed our ancient and antiquated methods of judicial procedure. It is important that justice be administered speedily and economically in our courts, and that punishment should swiftly and certainly follow crime, but neither of these results can be obtained unless thorough reforms in our present system be secured.

"The imperative necessity of judicial reform has challenged the consideration of all thoughtful people in Alabama, but I feel that it will be impossible to secure the needed changes unless those who are qualified will voluntarily undertake a careful consideration of the subject, and recommend the passage of such legislation as will accomplish the desired results.

"The capacity of a State to deal with crime and to administer justice economically and without delay is a test of the efficiency of popular government, and I am sure you recognize that the reforms suggested are of vital importance."

At the 1915 session, the legislature named a special committee on the judiciary, three members from the senate and five from the house, to consider and recommend reform legislation on all phases of the state courts. On July 13, 1915, the committee submitted its report along with 69 separate bills.

The major reform involved court consolidation, but perhaps equal in importance was the administrative supervisory power conferred on the chief justice by legislation passed on September 18, 1915. Prior to this no general administrative supervision of the courts had been authorized other than through impeachment, indictment, the supervisory power vested in the appellate courts and the limited authority of the governor. The new legislation envisioned a central directing agency, charged with the duty of collecting reports and information as to "the administration of justice, the workings and operations of the courts, the amount of business pending, performed or dispatched in the several courts of the State."

The chief justice was given the authority and directed "to see that the business of the several courts of the counties is attended to with proper dispatch, and that the cases, civil and criminal, not be permitted to become congested or delayed, and he shall take care that prisoners are not allowed to remain in the jails without a prompt trial." The chief justice was given the power to order a call of the dockets of the courts and to direct judges to call such dockets; to order solicitors to court to prosecute criminal cases; to order judges into any circuit to try cases or provide for the rotation of circuit judges.

While the legislation of 1915 gave considerable administrative authority to the office of chief justice, it would be over a half-century before the chief justice would be given the administrative support to carry out these tasks.

JUDICIAL ADMINISTRATION TODAY

The next major effort to modernize the judicial machinery of the state came in 1971 and was directed by a newly-elected chief justice, Howell T. Heflin of Tuscumbia. Heflin successfully urged the legislature to provide him the administrative support to carry out the responsibilities of the office as mandated by the 1915 legislation. The legislature responded by the creation, in its 1971 session, a Department of Court Management.

This department was created to assist the Chief Justice with his task of ensuring that the business of the courts of the state is carried out with proper dispatch and that the dockets of such courts do not become congested to the point that justice is unreasonably delayed.

In 1973, Constitutional Amendment 328 (the new Judicial Article) more clearly defined the administrative role of the Chief Justice in Section 6.10 which provides as follows:

> "The Chief Justice of the Supreme Court shall be the administrative head of the judicial system. He shall appoint an administrative director of courts and other needed personnel to assist him with his administrative tasks."

ADMINISTRATIVE OFFICE CREATED

In 1975, the legislature passed Act No. 1205, commonly called the Judicial Article Implementation Act, which created the Administrative Office of Courts.

This Act provided that the administrative director of courts would head both the Administrative Office of Courts and the Department of Court Management and specifically charged the director with responsibility for trial court administration within the state.

The following duties and authority for the administrative director of courts, subject to the direction of the chief justice were established by statute:

> (1) To require the filing of reports, the collection and compilation of statistical data and other information on the judicial and financial operation of the courts and on the operation of other offices directly related to and serving the courts;

(2) To determine the state of the dockets and evaluate the practices and procedures of the courts and make recommendations concerning the number of judges and other personnel required for the efficient administration of justice;

(3) To prescribe uniform administrative and business methods, systems, forms and records to be used in the offices of the clerks and registers of courts;

(4) To prepare and submit budget recommendations for state appropriations necessary for the maintenance and operation of the unified judicial system, with the exception of appellate courts, and to authorize expenditures from funds appropriated for these purposes as permitted or authorized by law;

(5) To investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the unified judicial system;

(6) To procure, distribute, exchange, transfer and assign such equipment, books, forms and supplies as are acquired with state funds or grant funds or otherwise for the unified judicial system;

(7) To make recommendations for the improvement of the operations of the unified judicial system;

(8) To prepare and submit an annual report on the work of the unified judicial system to the chief justice;

(9) To assist the chief justice in performing his duties relating to the transfer and assignment of justices and judges for temporary or specialized duty;

(10) To assist the Judicial Conference in its task;

(11) To promote, carry on and assist in programs designed to aid in the continuing education of justices, judges and other court personnel;

(12) To take necessary steps in the collection of unpaid court costs, fines and forfeitures;

(13) To serve as a liaison with the executive and legislative branches of the state government; and

(14) To perform such additional and administrative duties as may be assigned by the chief justice.

TWO OFFICES MERGED

Shortly after taking office in 1977, Chief Justice C. C. Torbert, Jr. merged the Administrative Office of Courts and the Department of Court Management into one agency, the Administrative Office of Courts, and appointed Allen L. Tapley as administrative director of courts. This action streamlined the chief justice's administrative arm and made the name of the agency correlate with similar agencies in other states and at the federal level.

In its infancy, the Department of Court Management mainly functioned as a departmental administrative assistant to the chief justice. In 1973, with the advent of the new Judicial Article, the department began to expand into its intended role of trial court administration.

From 1973 until 1978, the department was primarily occupied with the implementation of constitutional and statutory changes brought about by the new Judicial Article in 1973 and its implementing legislation which was enacted in 1975.

The responsibilities placed upon the Department of Court Management and the Administrative Office of Courts during the period from early 1976 until January of 1978 were significant. It was during this time that the agency had to prepare for and implement the transfer of the trial court functions and personnel from the authorities of 67 counties to that of the state.

This transfer required, among other things, the development of personnel procedures and a personnel system which would fairly provide for the some 1,200 county court employees who were to be transferred to the state payroll on October 1, 1977.

In order to improve the financial administration of the newly created unified judicial system, it was necessary to develop financial procedures for the payment of court system expenditures, including payroll; the collection and disbursement of court fines and fees; the payment of juror and witness costs; and for the preparation and submission of a budget to adequately provide for the operation of the new unified system.

FUNCTIONS OF ADMINISTRATIVE OFFICE

The Administrative Office of Courts performs the administrative function for the state's judicial branch of government. The office is responsible for the administrative service and support functions for the 1,600 judges, clerks of court and judicial employees in the state's 67 counties. These functions include

processing of payrolls, purchasing, budgeting, processing expense vouchers, operating the judicial personnel system and keeping track of revenues produced through the system. The Administrative Office of Courts now tracks court system expenses with the use of an expense acccunting system composed of 330 cost centers throughout the system. The Administrative Office of Courts' financial systems operation is augmented through the use of computer technology.

THE CIRCUIT COURTS

Circuit courts were first established in the Constitution of 1819 which vested the judicial power of the state in "circuit courts to be held in each county in the state." These courts were given original jurisdiction in all matters civil and criminal in the state, not otherwise excepted in the Constitution. In civil matters, the circuit court was given jurisdiction in all matters where the sum in controversy exceeded $50.

In territorial times, and until the adoption of the state constitution, what is known as the superior courts exercised the jurisdiction later conferred upon the circuit courts.

Although the constitution provided for a supreme court with three judges, no provision was made for its separate organizations. The Act of December 14, 1819, regulating proceedings in the courts of law and equity, provided that the supreme court, both in law and equity should be held by, and the powers of the same be vested in, and its duties be performed by the judges of the several circuit courts. At its first session, the court was required to appoint one member as chief justice. This action indicated the position of dignity and high character of the office of circuit judge. As further indicating the exalted position of this office under the constitution of 1819, their terms were made indefinite, that is, they were elected during good behavior.

Within ten years discussion began about the adoption of an amendment to the constitution limiting the term. The same discussion also concerned the creation of a supreme court with separate judges. An amendment was adopted in January, 1830, limiting the terms of the several judges of the circuit courts to 6 years. the legislature, January 14, 1832, provided for a supreme court of 3 judges. The amendment limiting the term had not changed the mode of election. From 1819 to the constitutional amendment, adopted in 1850, all judicial officers were chosen by joint vote of both houses of the general assembly. That amendment provided for their election "by the qualified electors of their circuits respectively."

The judicial system of the State was organized at the first session of the legislature, 1819, at which time an act was passed and approved on December 14, which regulated "the proceedings in the courts of law and equity." Among other things five circuits were created. In December of 1821, the State was reorganized into six judicial circuits. The opening up of the eastern section of the State by the formation of several new counties called for a still further rearrangement, and by act of January 11, 1833, eight circuits were created. On January 8, 1836, a ninth circuit was established; and a tenth circuit, January 31, 1840. The Code of 1852 contains a provision of nine circuits, and makes an entire rearrangement of the counties. Following the war, the creation of new counties necessitated reorganization of the circuits, and on February 19, 1867, 12 were formed. The constitutional convention of 1875 put itself on record as opposed to an increase of circuits, by the adoption of a section limiting the number to eight "unless increased by a vote of two-thirds of the members of each house," and it was provided that no circuit should contain less than 3 nor more than 12 counties. The same constitution has the further provision that at the first session of the legislature after ratification, the salaries of circuit judges should be reduced at least twenty-five percent and that thereafter there should be no increase "except by a vote of a majority of all the members elected to each house, taken by yeas and nays and entered on the journals." The legislature January 31, 1879, rearranged the counties into eight circuits and established the ninth February 5, 1885. Others were made by succeeding sessions, and the Code of 1896 shows 13 circuits, indicating various changes and reorganization during the decade. Sixteen circuits are shown by the Code of 1907. The twentieth circuit was formed September 25, 1915.

Today the state has 39 judicial circuits, the latest established in 1978 when Limestone County was split from the Eighth Circuit and made the 39th Circuit. There are 113 circuit judges and each circuit has from one to 20 resident circuit judges. A circuit court sits in every county of the state. The circuit court is the state's general jurisdiction trial court. The circuit court jurisdiction, generally, is as follows:

(1) Civil - Exclusive original jurisdiction of all civil actions in which the matter in controversy exceeds $5,000. Original jurisdiction concurrent with the District Court in all civil actions in which the matter in controversy exceeds $500, exclusive of interest and costs.

(2) Criminal - Exclusive original jurisdiction of all felony prosecutions and of misdemeanor or original violations which are lesser included offenses within a felony charge or which arise from the same incident as a felony charge.

(3) Appellate - The Circuit Court has appellate jurisdiction of civil, criminal and juvenile cases in District Court and prosecutions for ordinance violations in Municipal Courts, except in cases in which direct appeal to the Court of Civil or Criminal Appeals is provided by law or rule. Appeals to the Circuit Court are tried de novo, with or without a jury, as provided by law.

(4) Superintendence of District, Municipal and Probate Courts - The Circuit Court is empowered to exercise general superintendence over all District, Municipal and Probate Courts.

(5) Contempts - The Circuit Court may punish contempt by fines not exceeding $100 and by imprisonment not exceeding five days. This section, however, does not affect the power of the Circuit Court to enforce its orders and judgments by determinations of civil contempt.

THE DISTRICT COURTS

Under the consolidated court act passed in the reform effort of 1915, the state court system consisted of a supreme court, a court of appeals, circuit courts, probate courts, county courts, commissioners' courts, inferior courts, juvenile courts, justice of the peace, and recorders' courts.

Many city courts, law and equity courts, criminal courts and other inferior courts, usually called by the name of the city or area over which they exercised jurisdiction, were eliminated by the consolidation act.

The consolidation act of 1915 did not go into effect without challenge. The case of Smith v. Stiles, appealed from the city court of Birmingham would test the new act in the State Supreme Court.

After a full and exhaustive review, the court held that the consolidated court act was in full force and effect, and that the several judiciary acts, passed by the legislature of 1915, together with the existing statutes and the provisions of the constitution, were sufficient to constitute an entire system in itself, and fully operative in the several counties. It was held that the counties of Lee and Marengo, which had previously been detached from regular circuits, and which were then being served by law and equity courts, would constitute separate and individual circuits, and that the law and equity courts established therein, would along with all others, be abolished.

Although the consolidation act of 1915 reduced the number of different limited jurisdiction courts in the state, that number gradually increased over the next half century and by the early 1970's there were limited jurisdiction courts called by some 28 different names with differing jurisdictions and rules of procedure in every county. Unification of these courts became the main thrust of the judicial reform effort of the 1970's.

Alabama's District Courts were created constitutionally in 1973 and became operative on January 16, 1977, following legislative implementation of the new Judicial Article in the 1975 legislative session.

The new District Courts, with uniform jurisdiction, practice and procedure, replaced a hodgepodge of local limited jurisdiction courts which had been created with varying jurisdictions and authority throughout the state's history. By 1973, these courts, which usually were established by special statutes of local application, numbered 81 and were called by 24 name variations. In the civil area, jurisdictions varied from $50 to $10,000. Some courts had no criminal jurisdiction while others had concurrent jurisdiction with the Circuit Court over misdemeanors.

These courts were abolished upon establishment of the new District Court. There is a District Court in each county of the state and there are 89 District Court judges. Each district has from one to 11 judges. The District Court is a court of record and a non-jury court. Cases appealed are heard de novo in the Circuit Court.

The original civil jurisdiction of the District Court is uniform through the state, inclusive of all civil actions in which the matter in controversy does not exceed $5,000 and civil actions based on unlawful detainer, with certain exceptions which are set out in Code of Alabama 812-12-30.

The District Court has exclusive original trial jurisdiction over criminal prosecutions of all offenses defined by law or ordinance as misdemeanors, except prosecutions by municipalities having Municipal Courts; prosecutions which involve felony offenses within the exclusive jurisdiction of the Circuit Court; and misdemeanors for which an indictment has been returned by a grand jury. The District Court may exercise original jurisdiction concurrent with the Circuit Court to receive pleas of guilty in felony cases not punishable by death. It also has jurisdiction to hold preliminary hearings in felony prosecutions.

The District Court exercises exclusive jurisdiction over all civil actions in which the matter in controversy, exclusive of interest and cost, does not exceed $500. These actions are placed on the court's small claims docket.

JUVENILE PROCEEDINGS

Prior to legislation implementing the new Judicial Article in 1975, exclusive juvenile jurisdiction was placed in the Probate Court. The legislature, however, had transferred this jurisdiction from the Probate Court to the intermediate courts in 36 counties and the Circuit Courts in six counties.

In 1975, the juvenile laws of the state were revised so that today the Circuit Court and the District Court exercise original concurrent jurisdiction as the juvenile court. The Juvenile Court is defined as either the juvenile division of the District or Circuit Court. In those districts having only one district judge, the judge of the District Court serves as the juvenile judge. In districts having more than one judge the presiding circuit judge designates either a district judge or a circuit judge to serve as the judge hearing juvenile cases. Juvenile jurisdiction is exercised by a circuit judge in eleven counties at this time. In the remaining 56 counties and the Bessemer Division of Jefferson County, a district judge sits as the juvenile judge. Additionally, referees may be appointed by the juvenile judge subject to approval by the Administrative Director of Courts. These referees may conduct hearings in any case or any class of cases, within certain restrictions, and the findings of a referee become the findings of the juvenile court if confirmed by the juvenile judge.

"Matters involving children over which the juvenile courts exercise original jurisdiction include: proceedings in which a child is alleged to be delinquent, dependent or in need of supervision; proceedings to determine custody or appoint a legal guardian when the child is before the juvenile court; removal of disabilities of non-age; proceedings for the commitment of a mentally ill or mentally retarded child; proceedings under the Interstate Compact on Juveniles; and, proceedings for the termination of parental rights. Additionally, the juvenile courts exercise original and exclusive jurisdiction over minors and adults charged with any of the following: aiding or causing a child to become delinquent, dependent or in need of supervision; interfering with the custody of or removal of any dependent or delinquent child or one in need of supervision who is in the custody of the court; probation officer or any agency designated by the court; paternity of a child born out of wedlock; and, proceedings charging any minor or adult with desertion and non-support."

Under current law a "child" is defined as an individual under the age of 18 (or a child under 19 years of age who had committed the act of delinquency with which he or she is charged before reaching the age of 18). Therefore, by law, an adult is one over the age of 19, and a minor is an individual under the age of 19 and who is not a "child" within the legal definition.

PROBATE COURTS

The Probate Courts in Alabama have original and general jurisdiction over the probate of wills, granting of letters testamentary, right of executorship, settlement of accounts of executors and administrators, sale of estate properties, appointment and removal of guardians for minors and persons of unsound mind, guardianships, allotments of dower in land, partition of lands within their counties and name changes. There is a Probate Court with a probate judge in every county, and one is in the Bessemer Division of Jefferson County as well.

THE MUNICIPAL COURTS

The new Alabama Municipal Courts were established effective December 27, 1977. These courts have uniform original jurisdiction limited to cases arising under municipal ordinances. The Municipal Court has concurrent jurisdiction with the District Court of all acts constituting violations of state law committed within the police jurisdiction where the municipality has provided for such by ordinance. A municipality may, by municipal ordinance, abolish its municipal court and transfer jurisdiction to the District Court, and may also, by ordinance, reestablish its court.

OFFICE OF CIRCUIT CLERK AND REGISTER

There is an office of circuit clerk in each county and in the Bessemer Division of the Tenth Judicial Circuit. The statutory authority of clerks is as follows: (1) to administer oaths and take acknowledgements and affidavits in all cases in which the authority to administer such oath or take such affidavit is not confined to some other officer; (2) to appoint deputies, with full power to transact all business of such clerks; (3) to receive the amount of any judgment entered in the courts before or after the issue of execution thereon; (4) to exercise such other powers as are, or may be, conferred by law, including administrative rules or procedure promulgated by order of the Supreme Court of Alabama.

The duties of the clerks, generally, are as follows:

(1) To sign and issue all summons, subpoenas, writs, executions and other processes, under the authority of the court;

(2) To keep a consolidated docket sheet of civil and criminal cases, the names of the parties, the character of the action or offense, the names of the attorneys and the sheriff's return, which must be entered in all civil and criminal cases standing for trial, in the order in which they are brought,

and the bench notes, orders, rulings on motions and pleadings, other preliminary matters and final judgment which have been made in each case by the judge, which shall be the official minutes;

(3) To keep all papers, books, dockets and records belonging to their office with care and security, with the papers filed, arranged, numbered and labeled, so as to be of easy reference, and the books, dockets and records properly lettered; and to allow parties to inspect the records free of charge;

(4) To make out and deliver, on application and payment of the legal fees therefor, to any person applying for the same, a correct transcript, properly certified, of any paper or record in their offices; and

(5) To exercise such duties as are, or may be, conferred upon them by law, including administrative rules promulgated by order of the Supreme Court of Alabama.

QUALIFICATION, ELECTION AND DISCIPLINE OF JUDGES

QUALIFICATIONS

All justices and judges, with the exception of judges of the probate courts, must be licensed to practice law in the State of Alabama. Candidates for the office of district and circuit judge must have resided in the district or circuit for at least 12 months preceding election or appointment to the respective office, and must continue to reside in the district or circuit during continuance in office. Justices of the supreme court and judges of the other two appellate courts are elected statewide and may reside anywhere in the state.

ELECTION AND APPOINTMENT

All justices and judges, with the exception of municipal court judges, are elected by the qualified voters of a respective court's jurisdiction for six-year terms. Judges of the municipal courts are not elected to office, but are appointed by the governing body of the municipality. Full time municipal court judges are appointed for four-year terms, while part-time municipal judges are appointed for terms of two years.

A vacancy in a judicial position occurs when a judge dies, resigns, retires, or is removed from office. Vacancies in judicial positions are filled by appointments made by the governor, with the exception of vacancies in municipal court positions, which are filled by appointments made by the municipal governing bodies.

JUDICIAL PROHIBITIONS AND DISCIPLINE

Justices and judges, with the exception of part-time municipal court judges, are prohibited from engaging in the practice of law while serving in a judicial position. Persons holding office as judge or justice are governed by standards of professional conduct known as the Canons of Judicial Ethics.

A "Judicial Inquiry Commission," created under the provisions of the Alabama Constitution, is charged with investigating complaints of misconduct or wrongdoing on the part of judges. The Judicial Inquiry Commission is authorized to file a complaint with the Court of the Judiciary if a majority of the seven members of the commission decide that a reasonable basis exists to charge a judge with a violation of any canon of judicial ethics, misconduct in office, failure to perform his or her duties, or that the judge is physically or mentally unable to perform the duties of the office.

The Court of the Judiciary, upon receiving an official complaint from the Judicial Inquiry Commission, will convene to hold a public hearing on the charges filed against a judge. The Court of the Judiciary is authorized to remove a judge from office, suspend a judge without pay or censure a judge for violations of the Canons of Judicial Ethics, misconduct in office or failure to perform his or her duties. If a judge is found by the court to be physically or mentally unable of performing the duties of the office, the court may suspend the judge with or without pay or retire the judge. Decisions of the Court of the Judiciary may be appealed directly to the Supreme Court.

WHICH LAWS ARE NECESSARY?

TO THE TEACHER

The following activity, Which Laws Are Necessary?, can be used to engage the class in a discussion of several concepts about laws. The ideas about why certain laws are passed, the circumstances surrounding various laws, and the qualities that a law should possess to make it a "good" law can be discussed and analyzed.

PROCEDURE

1. Duplicate the following activity and distribute it. Instruct the students to read and complete the exercise at their desks.

2. Using a show of hands, tally student responses and record them on the chalkboard.

3. Using class responses, group the seven laws, according to the five categories listed (from Very Necessary to Not Necessary at All). Upon completion, ask students to do likewise with their own responses.

4. For each category, pose the following questions:

   * What do the laws in this category have in common with each other?

   * How do the laws in this category differ from the laws placed in the other categories?

   * In what ways do the laws categorized as "necessary" or "very necessary" differ from those categorized as "not very necessary" or "not necessary at all"?

5. Ask students to hypothesize:

   * Why each of the laws was passed.

   * At what time in history each law may have been passed.

   * The legal status of these laws today.

EXTENDED ACTIVITIES

1. Have students go home and ask their parents (and grandparents) to help them prepare a list of laws that used to be in force during their relatives younger years but have now disappeared. Encourage the students to list unusual (and humerous) laws. Using the lists the students bring to class, the teacher can discuss with the class the following types of questions:

   (A) What was the specific reasoning behind the passage of the law in the first place?

   (B) Which one (or ones) of the laws do the students feel were correct to have been passed at the time of their passage? (The students should explain their reasoning.)

   (C) Which of our present day laws do the students believe will not exist (or be of no use) 5 years from now, 10 years from now, 20 years from now (the start of the 21st century)?

2. Using the last idea ("C") in the preceding suggestion, the teacher can expand this by drawing three or four columns on the chalkboard and giving a separate title to each column ("Transportation" - "Housing" - "Family Life" - "Energy Use", etc.) Ask the students to suggest laws that might be needed in the year 2000 that do not exist today; or laws in the areas that exist today but might not be necessary by the year 2000. A class discussion (or debate) of the laws suggested could follow.

3. Organize students into groups (3-4 students to a group) and have each group develop a list of laws they believe will be in existence (or be necessary) for society at the turn of the century (by the year 2000). Each group will present their laws and explain why they believe each law will exist. After all the groups have given their report, have the class discuss the arguments for and against each law.

4. An expansion of the activity, Which Laws Are Necessary?, could involve asking the students to make a list of laws that exist today that, in their opinion (or their parents) are: "Very Necessary Laws," or "Not Necessary Laws at all." A discussion of each student's listings could be conducted with the class voting a final choice of which category each law belongs. An alternative procedure would be for the teacher to compile a list of existing laws and present them to the class for their classification and discussion.

WHICH LAWS ARE NECESSARY?

Instructions: Consider each of the laws below. In the space to the left of each, place the letter of the response you feel is most appropriate, as follows:

VN - Very Necessary Law
N - Necessary Law
U - Undecided
NVN - Not Very Necessary Law
NN - Not a Necessary Law at All

_____1. The manufacture, sale or transportation of intoxicating liquors for beverage purposes is prohibited.

_____2. No employer may refuse to hire or to discharge or otherwise discriminate against any individual because of that person's race, color, religion, sex or national origin.

_____3. No person shall willfully conduct himself or herself in a noisy, boisterous, rude, insulting or other disorderly manner with the intent to abuse or annoy another person.

_____4. To be eligible to vote in an election, every citizen must provide evidence of an ability to read and interpret the Constitution of the United States.

_____5. No person who has not yet attained sixteen years of age may appear on the streets of this municipality between the hours of 8:00 p.m. and 6:30 a.m., inclusive, unless accompanied by a parent or legal guardian.

_____6. No commercial establishment may conduct business in any manner during the period beginning 2:00 a.m. Sunday and ending 6:00 a.m. Monday.

_____7. All parents and guardians of children residing in this State shall cause such to be instructed in reading and writing so that they may be able to read the Scriptures and to write by the time they attain to twelve years of age.

LITTLE KNOWN LAWS

TO THE TEACHER

Students should think about the various reasons for some laws to have been passed. If students can develop an understanding of and appreciation for such a seemingly ridiculous law as "It is a criminal offense to put salt on any railroad track in Alabama" - (salt will attract animals - large and small, which could prove hazardous to the safety of the train passengers and animals), then they might take time to consider why other laws are passed. It is important for young people to carefully consider something before jumping to a position or attitude that might be hard to back away from. To develop such a habit of careful consideration will help students in every aspect of their lives, both as teenagers and as adults.

PROCEDURE

Divide the class into groups (or the students could do the activity individually). Give each group a list of the "Little Known Laws" (next page). Have students develop reasons for each (or a certain number of them) of the laws listed. After each group has completed the listing, let each group report their reasons for each law. Compare each groups' reasons and make a final decision (by class vote after discussion) as to which reason(s) seems most valid.

EXTENDED ACTIVITY

1. An expansion of this activity could involve having the students consider which one(s) of the "Little Known Laws" would now be a violation of other laws, or citizens rights, if they were to be enforced. A discussion as to why they would be a violation is important. Students could then see how society and its views change.

2. A follow-up activity to this exercise could be a discussion of the meaning of "anachronistic" and how laws that could be considered anachronistic are still on the law books of cities and of this state.

LITTLE KNOWN LAWS

INSTRUCTIONS: Read the list of unusual laws below. For each law make a written list of the possible reason, or reasons, for that law to have been passed. You will present your reasons to the class for further discussion and evaluation.

SOME LITTLE KNOWN ALABAMA LAWS

1. It is a criminal offense to put salt on any railroad track in Alabama.

2. In Tuscumbia, Alabama, it is against the law for more than 8 rabbits to be housed on the same city block.

3. It is illegal in Alabama to sell a minor cigarette paper.

4. It is illegal in Alabama for a person to use obscene or abusive language in the presence of a female, even though the female is deaf.

5. Wearing a mask by persons more than 16 years of age is illegal in Alabama.

6. A person who strikes the first blow in a fight and then is hit back may bring the other assailant to court. It is not sufficient defense for justifying an assault because the "Prosecutor" struck the first blow.

7. According to the strict interpretation of a Huntsville, Alabama law, when six persons get together and want to walk down the street they must first obtain a parade permit.

SOME LITTLE KNOWN LAWS IN OTHER STATES

8. Spitting against the wind is unlawful in Sault Sainte Marie, Michigan.

9. It is a federal law that no living person may be portrayed on U.S. Paper Currency.

10. It is against the law to throw watermelon seed on the sidewalk in Hammond, Indiana.

11. It is against the law to drive camels along Nevada's main highways.

12. You may not go to the theater in Gary, Indiana, within four hours after you have eaten garlic.

13. You are not permitted to swim on dry land in Santa Anna, California.

14. According to Oregon Law, it is illegal for a dead juror to serve on a jury.

15. In Pocatello, Idaho, it is illegal to look gloomy.

16. In Gurnee, Illinois, a two-hundred pound woman is not allowed to wear shorts when riding a horse.

17. It is unlawful in Portland, Oregon, to wear roller skates in a public rest room.

18. It is against the law in Dayton, Ohio, for a female to work as a bellhop.

19. Clergymen who tell jokes from the pulpit on Sundays are violating the law in Nicholas County, West Virginia.

20. It is against the law to "Lasso" a fish in Knoxville, Tennessee.

21. State Troopers, in the state of Missouri, cannot chew tobacco while on duty.

22. In the state of Kansas it is illegal for restaurants to serve ice cream on cherry pie.

23. People who live in the city of Chicago are required by law to keep fire buckets in their front halls.

24. In Midford, Oregon, it is illegal to leave one's cellar door open.

25. It is against the law for a milkman in St. Louis, Missouri, to run while on duty.

WHAT LAWS AFFECT JUST YOU?

TO THE TEACHER

This activity can be accomplished through "brainstorming" by the entire class or through group discussions. Before the group discussion begins, though, an explanation of the nature of laws should be made. Students should understand that all laws are protective even though they require a person to do something or they prohibit a person from doing something.

PROCEDURE

1. Have the students suggest specific laws that apply only to them as minors. The laws could require them to do something, such as going to school, or prohibit them from doing something, such as voting or signing contracts. The laws could also be of the nature of providing them protection, such as child labor laws.

2. Write the suggestions on the chalkboard and place them under one of the following three categories: Requirement, Prohibition (Denial), Protection.

3. A class discussion of the purposes of laws and their value toward helping young people achieve their best should follow. Criticism can be allowed also.

4. A vote can be taken to see which laws they would keep, reject, or change (how and why).

5. The activity can culminate by having the students analyze the kind of society that would result under their laws and discuss the helpful and harmful aspects of such a society.

IT'S AGAINST THE LAW

TO THE TEACHER

Use the cartoon on the following page to help students understand the concept that laws are made for a purpose(s). If they can ascertain the reasoning behind the few laws that are shown in the cartoons, they may be willing to consider reasons for other laws, even ones they may not presently like.

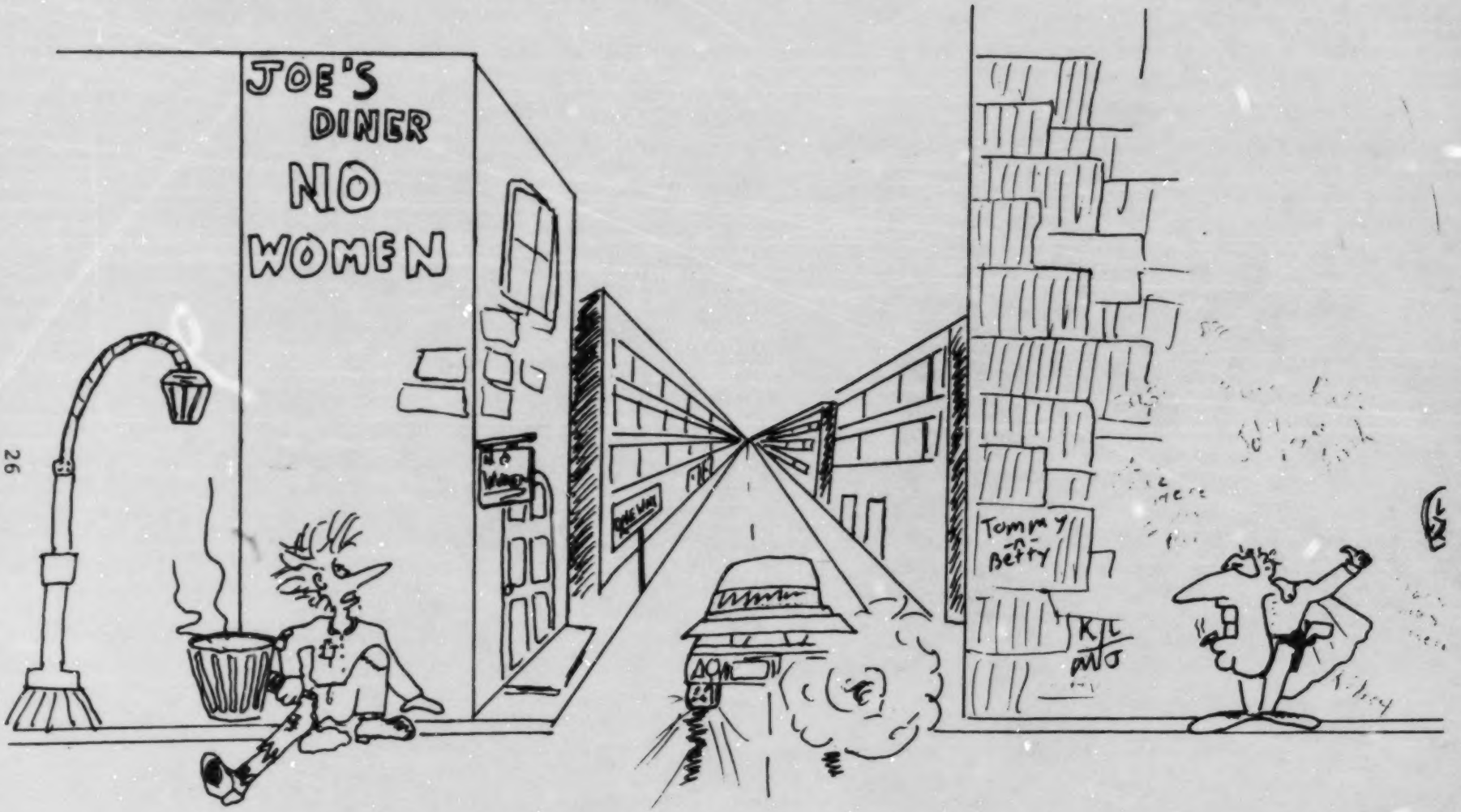
PROCEDURE

After looking at the cartoon, have the students list the possible violations and the rationale for each of the laws that have been violated. After that step, conduct a class discussion, using their lists and reasons as a basis. (This teacher-led class discussion is probably the most important aspect of the activity because students may be exposed to ideas about the reasons for laws which they have never before considered.)

ANSWER KEY

Possible violations which can be found in the cartoon are:

1. Vagrancy (the intoxicated man who looks like he may be a wanderer)
2. Public drunkenness
3. Carrying a concealed weapon (it would be concealed if his cape were closed)
4. Sex discrimination ("No Women")
5. Car taking off too fast ("scratching out")
6. Pollution from car exhaust
7. No traffic signs at intersection
8. Defacing public property (graffiti on walls)
9. Littering (on street corner)
10. Going wrong way on a one way street



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A SHORT HISTORY OF THE ALABAMA PRISON SYSTEM

TO THE TEACHER

The following material on the history of the Alabama prison system can be used as a teacher and/or student resource. If the article is reproduced for the students' use, you may want to prepare a question sheet which would cover the major points.

EXTENDED ACTIVITIES

1. Using the map of Alabama (which follows the information on the prison system), have each student locate, according to the directions contained in the article mentioned above, the major prisons (Mt. Meigs, Holman Prison, Fountain Correctional Center, Draper Correctional Center, J. F. Ingram Trade School, Frank Lee Youth Center, Julia Tutwiler Prison, and Number Four Honor Camp). The students can indicate (with a symbol) the prisons listed above, and they can also draw the nearest city to each of the prisons on the map.

2. Organize the class into groups to prepare reports on the two most controversial issues involving Alabama's prison system today:

   A. Selecting sites for prison locations in the state;

   B. Court orders affecting the conditions of Alabama's prisons today (particularly as it relates to overcrowded conditions).

3. Have students bring in newspaper articles relating to Alabama's prison system. Discuss these articles and organize them into various categories (prison building, escapes, prison conditions, etc.).

A SHORT HISTORY OF THE ALABAMA PRISON SYSTEM

The history of Alabama shows no record of a penal system until 1839 when the legislature established an executive department known as the Board of Inspectors of Convicts. However, prior to 1839, agitation for a change in the forms of punishment began, and Governor John Gayle (1831-1834) should be credited with the recommendation that the whipping post, the pillory (a wooden frame with holes for the hands and feet of an offender undergoing public punishment), and the branding iron be substituted by more humane treatment. Many persons agreed that the inhumane treatment should stop, but they were unwilling to finance such a system which would also call for a penitentiary. Governor Gayle also recommended the adoption of a criminal code which would focus on reformation and not vindictive justice. (Minor crimes involving slaves were handled on the plantations; major crimes went to the courts.) His appeals and recommendations fell on deaf legislative ears until 1839.

On January 26, 1839, the legislature passed a law to provide that a penitentiary be located not more than fifty miles from the center of the state; appropriated $30,000 for purchase of land and erection of a building; and authorized a committee of three to prepare a code of criminal laws adapted to the penitentiary system of punishment and a set of rules suitable for the organization of the prison.

A committee of three selected a site for the prison, east of the Coosa River, near the town of Wetumpka, and the cornerstone was laid in October, 1839. Buildings were completed one year later.

The prison organization provided for three inspectors, one warden, one deputy warden, one physician, one clerk, and a number of overseers and turnkeys. The inspectors and warden were selected by the legislature in two year terms, and the clerk and physician were appointed by inspectors, subject to the approval of the legislature. All other officers were appointed by the warden. In addition, military guard was maintained at the penitentiary at the expense of the state, but under orders of the warden.

Unfortunately, the administration of the penitentiary from the beginning was unprofitable and unsatisfactory. (This was due rather to mismanagement and carelessness than to any defect in the system.) Complaints about the original expenditures coupled with the failure of the system to prove self-sustaining brought minor changes in the laws.

The legislature passed an act at the session of 1845, authorizing the lease of the penitentiary. The law provided that the lessee become warden of the prison with full authority over the convicts and be responsible for the preservation of the state's property. The lessee was required to furnish at his own expense a sufficient number of competent guards, supply the convicts with adequate wholesome food, clothing, bedding, medicine, and proper care during illness; provide a chaplain, and maintain buildings properly for the safety of the convicts. (The convicts were to be treated as human beings with no more labor imposed on them than they could perform or labor that might injure their health.) During the existence of this lease system, convicts were worked in manufactories, and articles were made to be used by the Confederate Army. From 1845 to 1862, the public mind did not focus on the unsatisfactory results of the lease system, for this system was less objectionable than direct maintenance by the state. When the lease ended, the buildings, machinery and the property were practically without value.

The state resumed control in 1862 after Dr. Ambrose Burrows was killed by a convict named Karminsky, who was convicted for the offense and executed in the prison yard before the other convicts. Under state control, the old lease system was discontinued until after the War.

In 1866, another lease was made under the old system. Financially, this was a most unfortunate transaction. The lessee was loaned money which was never repaid, and when the lease expired, the machinery was returned unusable.

Shortly after the postwar lease was made, an act was passed allowing the lessee to sublet the convicts to be worked outside the penitentiary. There were frequent and persistent rumors of cruelty to convicts for the next six years. For example, many convicts were employed in railroad construction around the state, but arrangements for their care was not made. The convict laws, passed in 1845, had been made to fit conditions when convicts were employed within the walls, not outside them. When the lease expired in 1872, the convicts were brought back inside the prison walls.

From 1873 to 1883, conditions were chaotic. Newspaper charges were made, legislative investigations demanded, and ill feelings resulted; however, this agitation resulted in important reforms. On February 22, 1883, an act was passed to regulate the hiring and treatment of state and county convicts employed outside the walls of the penitentiary, either upon private or public works. Frequent inspection was required; better care for the sick; no cruel or excessive punishment should be inflicted; and no corporal punishment should be used except

according to the rules prescribed by the warden and inspectors and only by the person authorized by the warden. Contracts for hire could only be made after an advertisement of 20 days in Birmingham, Huntsville, Mobile and Montgomery. Contracts could be cancelled by the governor at any time without giving a reason.

Further reforms were made by the legislature in 1885. The office of warden was abolished. The board of inspectors of convicts was given the powers and duties of the former inspectors.

Beginning in 1888, the state adopted the policy of concentrating the able bodied convicts in the coal mines. Large numbers of them were worked at the Pratt Mines where two new prisons were erected. Hospitals were also built. Later, arrangements were made for leasing females, boys under fifteen years of age, and infirm adult males to lumbermen, turpentine men, farmers, and others.

While the state system was being developed and the treatment of convicts made to conform to humane standards, the condition of county convicts leased to contractors for public works was deplorable. The laws governing the hire of state convicts did not extend to those of the counties. The death rate of county convicts was twice as great as that of the state convicts. In 1890, the governor appealed to the legislature to enact laws providing for a new system. However, it was not until the next session that reforms were made. In 1893, during the second legislative session, an act created a new convict system in which provisions were made for the government, discipline and maintenance of all convicts in the state. One of the most beneficial features of the new act provided that all convicts, whether worked inside or outside the walls, would be under the general supervision of the board of managers and immediate custody and control of a warden at all times.

Two years later, the board of managers was abolished and a board of inspectors was created; there was a return to a modified form of the old system. The old law that officers having custody of convicts should be employed by the state was dropped, and a provision substituted that the officers be employed and paid by the contractors, but should be licensed by the president of the board. The reforms in reference to county convicts were abandoned.

During the two years in which the law of 1893 was in force, the board of convict managers adopted and put into effect a plan for a State owned and operated cotton mill. A location was secured at Speigners and the buildings were erected chiefly with convict labor. The mill was designed to use the services of women and boys who could not be worked in the mines and lumber camps.

The administrative agency of the Alabama prison system was changed to a two-member board known as the State Board of Administration in 1919. The convict department was placed under the supervision of the associate member who directed the operation of the entire state penal system. Eight years after this administrative change, the gallows were replaced by the "electric chair". This chair was built by inmates and placed in Kilby Prison. From the beginning of its use in 1927 until 1965, when the last execution was held, 153 people had paid their debt to society. (Three of these were women.) After Kilby Prison was torn down, the "Big Yellow Mama" was moved to Holman Prison. However, executions could not take place until the legislature legally changed the execution site. Since the U.S. Supreme Court declared the discriminatory methods of capital punishment unconstitutional in 1972, executions have been halted.

A reform movement started by the American Sociological Congress eventually caused the removal of prisoners from the mines in 1928. During the same year a large farm was purchased at Atmore which provided farm work to replace the mine work. From that time to the early 1950's, construction on road maps and new prison facilities was extensive.

In 1952, the legislature again changed the administrative control of the prison system abolishing the Department of Corrections and Institutions and setting up a five-member Board of Corrections. The board members were appointed by the governor to two year terms with one member being appointed each two years. The appointments were subject to senate confirmation and no two members could reside in the same congressional district. Supervision of the road camps was made the responsibility of the board; however, the State Highway Department retained authority over their operation. The Board was also charged with the responsibility of inspecting city and county jails of municipalities of ten thousand or more population. The "lash" was also abolished.

At the present time, Commissioner L.B. Sullivan is charged with the state-wide administration of all the institutions and functions of the department. Approximately 4900 inmates are presently in the major institutions, work release centers cattle ranch and 5 highway road camps.

All prisoners are received from the courts by the Mt. Meigs Medical and Diagnostic Center, located 10 miles east of Montgomery. The center with minimum, medium, and maximum security was completed and occupied in 1970. The M & D Center, as it is called, was designed to accomodate 503 inmates. The Center classifies all prisoners for assignment

to another institution. This process includes evaluation, the age, education, background, type of felony committed, any previous FBI record and medical and dental examination. A modern fully equipped hospital and a separate tuberculosis ward, which serve the entire system, is located there, all under maximum security.

The Holman Prison is located nine miles east of Atmore and is the maximum security prison for the state. This unit was completed and occupied in November of 1969 and named for William C. Holman, former warden of Kilby Prison. This unit consists of 7 1/2 acres, four dormitories and four cell blocks and is surrounded by a double chain link fence. An area designated as death row consisting of 20 cells is now used for an administrative segregation unit. Holman was designed to house 600 inmates, but has housed in excess of 700 for several years. The tag plant which produces all vehicle license plates for the state is located within the compound and is operated under maximum security. The inmates at Holman are mostly disciplinary problems, escapees who have been recaptured and are classified as maximum security.

The Fountain Correctional Center, formerly Atmore Prison Farm and completed in 1949, is located ten miles north of Atmore. Designed to hold approximately 800 inmates, Fountain bulges at its seams with 1100 inmates. Some 4500 of the 8000 acres of property are used in farming. The farming operation of Fountain produces such crops as cotton, soybeans, cucumbers, corn, sugar cane and sweet potatoes. The remainder of the acreage is in timber and pasture land. In 1973, Fountain's own syrup mill produced 33,500 gallons of cane syrup from their sugar cane crop.

Draper Correctional Center, named for Hamp Draper who was a former warden for the system, was completed in 1939 and operates as a minimum, medium and maximum security facility. Draper is located on a 3200 acre reservation 25 miles north of Montgomery. Draper was built to house 600 inmates, but accomodates in excess of 900, mostly younger offenders with an average age of 23. All of the buildings are located within a compound protected by an 18 foot chain link fence. This reformatory type institution is where most of the system's self-improvement programs are in progress. In addition to basic education classes and vocational training shops for automotive service, barbering, welding, and meat cutting, inmates are also taken to the J.F. Ingram Trade School for additional vocational training. With a full-scale two year college program, Alabama is one of a dozen states that offers such on-site college programs to eligible inmates. This college program, provided through Alexander City State Junior College, extends to Tutwiler Women's Center and Frank Lee Youth Center from Draper. The Correctional Center provides four classrooms, a library space, faculty and student lounges, college offices for the part and full-time college staff of 13.

Located a few miles west of Draper, near Deatsville, is the J. F. Ingram Trade School. Opened in 1966, some 1026 men have graduated in trade training and 516 have been awarded a high school certificate. Trades taught at the school include auto body repair, auto mechanics, brick masonry, small gasoline engine repair, upholstery, cabinet making and welding.

Adjacent to the Trade School is the Frank Lee Youth Center for youthful offenders. The Center, named for former Commissioner A. Frank Lee, was designed to accommodate 102 inmates, but remodeling has increased the capacity to 200. The inmates at Frank Lee have an opportunity to attend classes in education as well as the Trade School

The Julia Tutwiler Prison for Women, located just north of Wetumpka, has approximately 190 inmates and is the only prison for women in the system. (It qualifies as a federal prison for women as well.) Tutwiler operates a sewing factory which manufatures much of the clothing used by the entire system.

On 1820 acres of farmland in north Montgomery County is the Number Four Honor Camp. Reopened in 1972, the farm is operated by 10 to 15 of the 100 minimum custody inmates housed there. A staff of 13 is required for supervision.

At one time, there were 32 road camps scattered throughout the state under the supervision of the State Highway Department. Because of public sentiment, there are only five road camps still in existence and in danger of being phased out. They are located in Hamilton, Hollis, Troy, Grove Hill and Elba.

The Work Release Program was begun April 2, 1972, and has been expanded to eight centers from Birmingham southward. Under this program, selected inmates are allowed to work full time in gainful employment within a community. The participant pays 25% of his earnings to the Board of Corrections for his room and board. He is no longer a burden on the taxpayers. With careful 24 hours per day supervision, the inmate becomes a productive citizen who learns the value of his job and his relation with his employer and fellow employees. By participating in a work release program, the offender resumes the support of his family and assumes a large amount of the financial cost of his incarceration, as well as his own support. Only the most carefully selected inmates are allowed to participate in the program. In order to be eligible for the work release program, an inmate must be in minimum custody for 60 days and have no more than 18 months left before his release date. He must have no detainers and have a favorable work and conduct record from one of the regular prisons. He must not be dependent upon drugs or alcohol. The sex offender is considered ineligible for the work release program as the commission of certain heinous crimes creates public animosity toward an individual. This could cause the death of this program.

A Furlough Program was begun on July 21, 1972. From that time until September 24, 1974, 2989 furloughs were granted, and 388 requests were denied. 48 furloughs or 1.6% of the furlough inmates violated the program.

In June, 1975, the Interim Criminal Justice Study Committee submitted recommendations to Governor George C. Wallace and members of the Alabama legislature in an attempt to upgrade the prison system and its programs.

Particular attention is called to the success of the Frank Lee Youth Center, a small facility where carefully screened first offenders are housed. This Center has one of the lowest recitivism rates of any penal institution in the United States.

Presently, the work release and furlough programs and the Frank Lee Youth Center are the bright spots of the state penal system and should be maintained and enlarged.

LAUDERDALE
LIMESTONE
MADISON
JACKSON
COLBERT
LAWRENCE
FRANKLIN
MORGAN
MARSHALL
DE KALB
MARION
WINSTON
CULLMAN
CHEROKEE
ETOWAH
BLOUNT
LAMAR
WALKER
FAYETTE
ST. CLAIR
CALHOUN
JEFFERSON
TALLADEGA
CLEBURNE
PICKENS
TUSCALOOSA
SHELBY
CLAY
RANDOLPH
GREENE
HALE
COOSA
TALLAPOOSA
CHAMBERS
SUMTER
PERRY
AUTAUGA
ELMORE
LEE
MARENGO
DALLAS
MACON
RUSSELL
MONTGOMERY
CHOCTAW
LOWNDES
BULLOCK
WILCOX
BARBOUR
CLARKE
BUTLER
PIKE
MONROE
WASHINGTON
HENRY
CONECUH
CRENSHAW
COFFEE
DALE
COVINGTON
HOUSTON
ESCAMBIA
MOBILE
BALDWIN
GENEVA
ALABAMA

CRIMES BY THE MONTH

TO THE TEACHER

It can be statistically shown that crime rates in society will very in intensity and direction depending on a number of factors. It has been well substantiated that during times of economic stress - inflation, high unemployment, recession - that the crime rate will increase. The following activity is an attempt to have the student consider such possible factors in causing fluctuations in crime rate, in this case by months of the year.

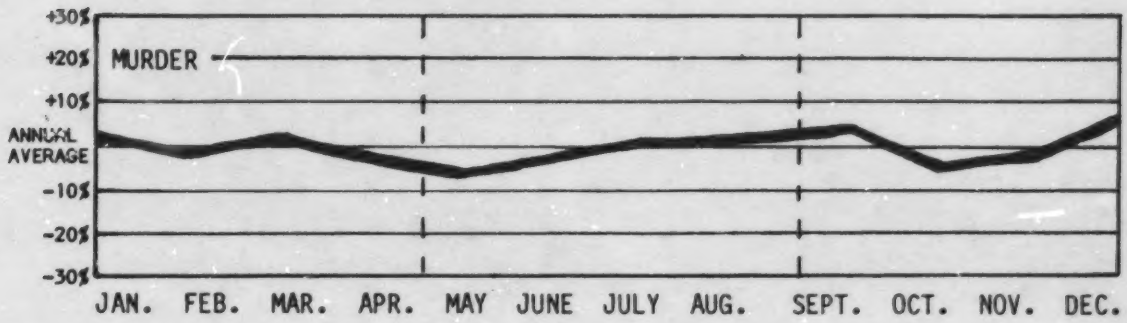
PROCEDURE

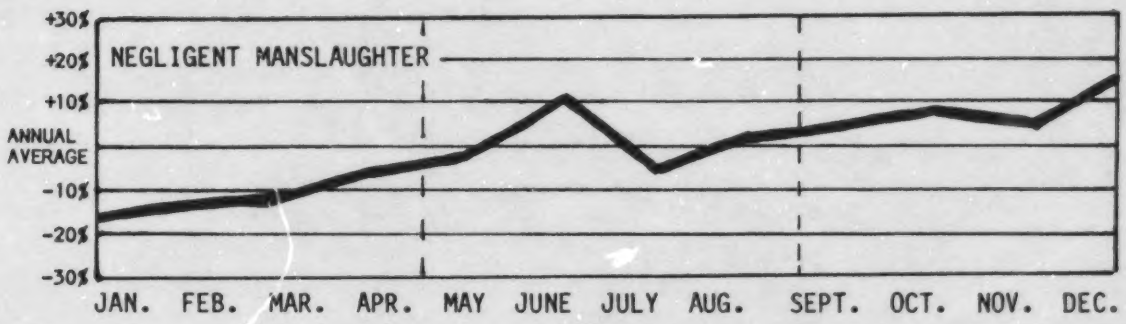
Have each student study the following two FBI charts ("Crimes by Month against the Person" and "Crimes by Month against Property").

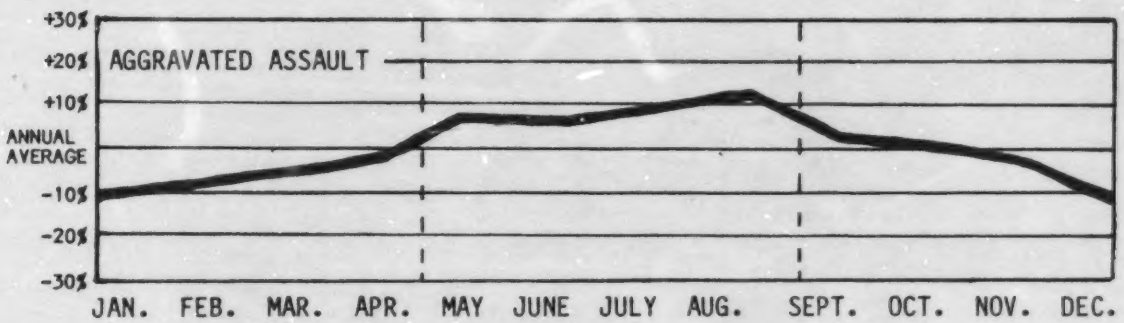
Hand out the worksheet and have the students answer the questions individually or through a class discussion.

CRIMES BY THE MONTH

Against the Person

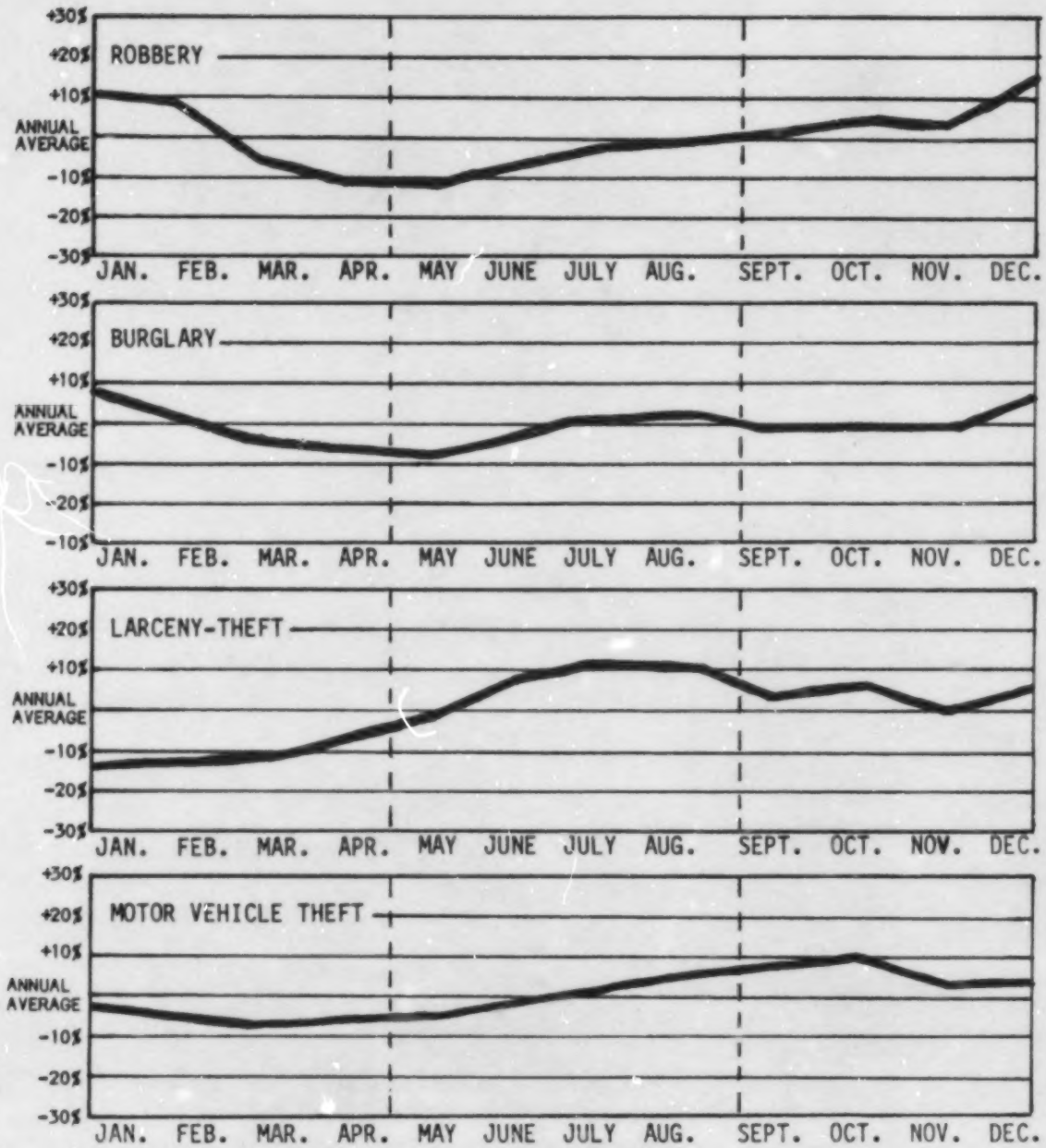






CRIMES BY THE MONTH

Against Property



CRIMES BY THE MONTH

INSTRUCTIONS: Using the charts ("Crimes by month against the Person" and "Crimes by month against Property") provided by the teacher, answer the following questions based on the information in the charts.

1. In which month are the number of "Murders" at their highest?

2. In which month are the number of cases of "Negligent Manslaughter" at their highest?

3. What is the difference in definition between "Murder" and "Negligent Manslaughter"?

4. List the possible reasons as to why the above crimes peak when they do.

5. In what month does "Aggravated Assault" reach its peak? Why?

6. Why does the crime of Robbery begin an increase as fall moves into winter?

7. Which crime from both charts showed the least fluctuation (up and down)? Why do you think this is the case?

8. Why do you think crimes against persons fluctuate more than crimes against property?

9. Why do you think "Aggravated Assault" shows a steady decline from its peak months toward December?

10. Write a series of suggestions on how the crime rate fluctuations could be stopped (particularly the rise of crime in certain months or seasons of the year).

SUMMARY OF RULES FOR SAFE DRIVING

TO THE TEACHER

The following summary, which covers the responsibilities and requirements of a person driving an automobile in the state of Alabama, has been provided as either a teacher resource or a student hand-out. Worksheets can be prepared and can serve as the basis for a class discussion on the laws which govern something which ninth grade students are looking forward to --- having a driver's license.

For information concerning motorcycle regulations, the pamphlet, Alabama Motorcycle Operator Manual, may be obtained from:

Division of Instruction
Driver and Traffic Safety Education
Alabama State Department of Education
111 Coliseum Boulevard
Montgomery, Alabama 36193
ATTN: Mr. Jackie Hammock

Additional information about traffic rules may be acquired in the Alabama Driver's Manual, which is available wherever Driver's License examinations are given or by contacting:

Department of Public Safety
Driver's License Division
Box 1471
Montgomery, Alabama 36192

A SUMMARY OF RULES FOR SAVE DRIVING

To operate a motor vehicle on our public streets and highways is a PRIVILEGE -- not a RIGHT. This privilege is granted by the State only to those who earn it. Once you earn this privilege, and exercise it, you assume certain responsibilities in the operation of your motor vehicle. If you overlook these responsibilities, or refuse to accept them, you forfeit the privilege you have earned.

DOCUMENTS NEEDED TO OBTAIN A DRIVER'S LICENSE

Persons applying for a Driver's License must do so with a Driver's License Examiner in the county in which he/she resides. Persons who are of the ages 16 to 21 must furnish the Examiner with a certified birth certificate from the Bureau of Vital Statistics and must be accompanied by a licensed driver.

A person who is 15 years old and is applying for a Learner's Permit must be accompanied by a parent or legal guardian who agrees to be responsible for the applicant. A person holding a Learner's Permit can only drive with his/her parent, guardian, or a certified instructor who must be on the front seat beside the licensee. The accompanying driver must be properly licensed.

All persons of the ages 14 to 16 who wish to obtain a Motor Driven Cycle License must furnish the Examiner with a certified birth certificate from the Bureau of Vital Statistics and must be accompanied by a parent or legal guardian who agrees to be responsible for the applicant. A person holding a Motor Driven Cycle License may operate any cycle that weighs less than 200 lbs., has an engine displacement of not more than 150 c.c., and has no more than 5 brake horsepower.

NEW RESIDENTS

A person establishing residence in this State who holds a valid driver's license from another state has 30 days in which to obtain an Alabama Driver's License.

Military personnel and dependents of military personnel are not required to have Alabama Driver's Licenses as long as they hold current and valid licenses from their home state.

You may have only one Driver's License. All out-of-state Driver's Licenses must be surrendered before you are eligible to take the examination for an Alabama Driver's License. You must take the examination in the county in which you reside.

PERSONS WHO MAY NOT BE LICENSED

1. A child who is less than sixteen years old, except a person fourteen years of age who may be licensed to drive certain motor driven cycles, and a fifteen year old may be issued a restricted Learner's Permit.

2. A person whose driving privilege is suspended or revoked in any state.

3. An insane, or feeble-minded person.

4. A drunkard or one who has a drug habit.

5. A person who is physically or mentally unable to drive safely.

6. Any person failing to pass the examination when required.

7. An epileptic, except one who has his condition under control and has been seizure-free at least one year.

PERSONS WHO ARE EXEMPT FROM LICENSE

1. Anyone driving an official motor vehicle in the service of the United States Government.

2. A person driving a road machine or farm machinery which is not operated on the highway.

3. A non-resident of Alabama who is at least sixteen years of age and has in his possession a driver's license good in his home state who is in this State temporarily to enjoy its recreational facilities.

YOUR LICENSE MAY BE TAKEN AWAY

Your Driver's License gives you the privilege of using Alabama highways only as long as you drive safely. If you disobey the laws of the State or become disabled to drive in any way, your license may be taken away by the Director of Public Safety. The law requires that your license be revoked if you are convicted of the following offenses:

1. Manslaughter resulting from the operation of a motor vehicle.

2. Driving a motor vehicle by a person who is a habitual user of narcotic drugs.

3. Driving a motor vehicle while intoxicated.

4. Using a motor vehicle while committing a felony.

5. Hit and run driving.

6. Telling a falsehood to the Director while under oath about ownership or operation of a motor vehicle.

7. Reckless driving three times within a period of twelve months.

OTHER REASONS FOR YOUR LICENSE TO BE SUSPENDED

1. You have been charged with an offense for which your license may be taken away when you are found guilty in court.

2. You cause a serious accident or have a bad record of motor vehicle violations.

3. You are unable to drive safely due to physical or mental handicaps.

4. You have permitted another to use your license, failed to comply with the restriction on your license or otherwise misused it.

5. You have given false information to the Driver License Examiner.

6. All traffic violations, other than those for which it is mandatory to revoke, are given a point value and retain point value for two years. An accumulation of 12 points will result in a suspension of your driving privilege. The specific offenses and assigned points for each offense are as follows:

Discretionary Offenses	Points
A. Any conviction which resulted from a charge that involved the drinking of alcoholic beverages and the driving of a motor vehicle but did not require mandatory revocation of the driver's license	6
B. Reckless Driving	6
C. Speeding in Excess of 79 MPH (80 or above)	5
D. Failure to Yield Right of Way	5

Discretionary Offenses (continued)	Points
E. Passing Stopped School Bus	5
F. Wrong Side of Road	4
G. Illegal Passing	4
H. Following Too Closely	3
I. Disregarding Traffic Control Device	3
J. Speeding in Excess of Posted Limits	2
K. All other Moving Violations	2

Action	Period of Suspension
12-14 Points in a 2-year period	60 days
15-17 Points in a 2-year period	90 days
18-20 Points in a 2-year period	120 days
21-23 Points in a 2-year period	180 days
24 and above Points in a 2-year period	365 days

Failure to appear in court after an arrest for traffic violation is the same as being found guilty by the court.

Six months from the date your license is received by the Director of Public Safety and you have complied with the requirements of the Financial Responsibility Act, the Director may accept your application for reinstatement if upon investigation he finds you deserving of reinstatement of your driving privilege.

Whenever your Driver's License is suspended, you will be mailed an official notice to your last known address of such action by the Director of Public Safety. A person whose license has been suspended is entitled to an administrative hearing in his home county upon written request to the Department of Public Safety. Your license will be returned unless otherwise advised. Also you may be required to take the regular examination for a new Driver's License before your privilege is reinstated.

If you are convicted of driving while under suspension, you are subject to a fine up to $500 and may be sentenced to thirty days in jail and your driving privilege shall be revoked.

You may be deprived of your Alabama Driver License if you are convicted in another state of an offense that requires or warrants the suspension or revocation of your license in this State.

The Department may also take away the driving privilege of any non-resident who is found guilty of an offense for which his driver's license may be revoked or suspended in this State.

ACCIDENTS AND SAFETY RESPONSIBILITY

If you are involved in an accident while driving, you must:

1. Stop at the scene and render all possible aid.
2. Identify yourself by showing your driver's license and registration plates to others involved in the accident.
3. If you do not have a driver's license, you must give your name and address.

IMPLIED CONSENT AND CHEMICAL BREATH TESTING

Any person who operates a motor vehicle upon a public highway in the state of Alabama shall be deemed to have given his consent if arrested for any moving traffic violation to submut to a chemical test to determine the alcohol content of his blood.

REFUSAL TO TAKE REQUIRED TEST

Any operator under arrest for any moving traffic violation who refuses to submit to a chemical breath test when directed by an officer shall have his driver's license or permit suspended. This is in addition to any penalties resulting from the original charge.

LEVELS OF INTOXICATION

If there was at the time of arrest more that 0.05% but less than 0.10% by weight of alcohol in the person's blood, such fact may be considered with other competent evidence in determining

whether the person was under the influence of intoxicating liquor.

If there was at the time 0.10% or more by weight of alcohol in the person's blood, it shall be presumed that the person was under the influence of intoxicating liquor.

PENALTIES UPON CONVICTION

It shall be unlawful for any person who is intoxicated to drive a motor vehicle upon any highway of this State.

Upon the first conviction of driving while under the influence of alcohol and/or a controlled substance, such person shall be punished by imprisonment in the county or municipal jail for not more than one year, or by fine of not less than $100.00 nor more than $1,000.00 or by both fine and imprisonment. The judge may also recommend to the Director of Public Safety that such person's driver's license be suspended for a period not exceeding six months.

Upon the second or subsequent conviction within a five year period, such person shall be punished by imprisonment in the county or municipal jail for not more than one year, or by fine of not less than $200.00 nor more than $1,500.00 or by both fine and imprisonment. In addition, the Director of Public Safety is required by law to revoke such person's driver's license for a period not exceeding six months.

LAW ENFORCEMENT CODE OF ETHICS

TO THE TEACHER

The pledge on the following page, entitled Law Enforcement Code of Ethics, has been provided so that it can serve as the basis for a teacher-led class discussion about the role of the Police Officer in society.

Students can be asked whether the "Code of Ethics" is valid for police today. Emphasis should be place on why a "code of ethics" is necessary.

You may also want to prepare a list of situations involving police behavior. Have the students decide whether the actions described are or are not a violation of the "Code of Ethics".

Law Enforcement Code of Ethics

As a Law Enforcement Officer, *my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.*

I will *keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

I will *never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.*

I recognize *the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.*

BEST COPY AVAILABLE

SUGGESTED RESOURCES

Criminal Law and Court Procedures, Melroy B. Hutnick, Delmar Publishers, 1974, Albany, New York, 12205. This is an excellent source for the definition of terms and explanation of general procedures followed in criminal law. Sample cases are provided that require the student to interpret and explain points of law and to identify the crimes committed.

Alabama's History: The Past and Present, Harry M. Joiner, Southern Textbook Publishers, Inc., P.O. Box 552, Athens, Alabama, 35611. This is one of the textbooks on the list of accepted texts for Alabama History. This textbook provides separate chapters concerning the history and development of law in the state of Alabama: "Chapter 19: Alabama's Courts" (pages 302-312) and "Chapter 20: Law Enforcement" (pages 313-325).

Law in American History, Charles Warren, edited by Donald Fleming and Bernard Bailyn, 1971, Little, Brown and Company, Boston, Massachusetts ($12.50). This is an excellent chronicle of the role law has played in the development of the United States. It encompasses such topics as "Constitutional Law and the Rhetoric of Race", "Legal and Behavior Perspectives on American Vigilantism", "Law and the Enforcement of Morals in Early America" and many more.

SECTION II

LAW AND CONTEMPORARY WORLD AFFAIRS

COMTEMPORARY WORLD AFFAIRS

TO THE TEACHER

During the many committee meetings sponsored by the Administrative Office of Courts that were held to discuss the incorporation of "Law-Focused Education" into the ninth grade "Contemporary World Affairs" course, a repeated concern kept surfacing. Teachers all over Alabama have been teaching Contemporary World Affairs from a variety of approaches, and a vast array of textbooks (from Geography to World History to World Cultures). There was considerable discussion as to how to meld a study of international law with the various approaches used.

During the discussion of this subject, it was suggested that maybe what would help would be to provide the teachers with a sample of a "Contemporary World Affairs" course that readily allows the incorporation of the study of the role of law on a world scale. The following course outline and unit descriptions have been provided to demonstrate such a course. It has been followed for a number of years in a "Contemporary World Affairs" class in Alabama and has been found to be readily adaptable to the study of law at the international level.

This is not offered as the recommended course outline, but it has been included only to serve as a possible springboard for teachers to discover ways to bring out the role of "International Law" (and cooperation) in our increasingly complex and interdependent world.

SUGGESTED COURSE OUTLINE

I. TWO BASIC CONCEPTS

A. OUR SHRINKING WORLD

1. FORCES SHRINKING OUR WORLD
2. GROWING WORLD INTERDEPENDENCE
3. EFFECTS OF "OUR SHRINKING WORLD"

B. SPACESHIP EARTH

1. THE EARTH AS A SPACESHIP: COMMON CHARACTERISTICS
2. THE MEANING OF SPACESHIP EARTH
3. THE ORIGIN OF THE CONCEPT

II. FOUR MAJOR CHALLENGES FACING MANKIND TODAY

A. CONTROL OF THE WORLD POPULATION BOMB

B. THE ECONOMIC DEVELOPMENT OF THE "LESS DEVELOPED COUNTRIES"

C. PROTECTION OF OUR "FINITE" ENVIRONMENT

D. THE CONTROL OF NUCLEAR WEAPONS

III. OUR DIVIDED WORLD:

A. ECONOMIC DIVISION: THE "HAVES" vs. THE "HAVE NOTS"

1. THE FIVE WORLDS: THE RICH NATIONS AND THE POOR NATIONS
2. WHY ARE THERE "HIGH" AND "POOR" NATIONS: A HISTORICAL OVERVIEW
3. THE RISE OF THE "THIRD WORLD"
   a) Meaning of the "third world"
   b) Goals of the "third world"
   c) Impact of the "third world"
      1) It's Power
      2) It's Weaknesses
4. THE UNITED STATES AND THE "LESS DEVELOPED COUNTRIES": A HISTORICAL OVERVIEW

B. POLITICAL - IDEOLOGICAL - DIVISION: THE COLD WAR WORLD

1. THREE GROUPS OF COUNTRIES
2. ECONOMIC SYSTEMS COMPARED: CAPITALISM vs. COMMUNISM
3. THE UNDERLYING CAUSE OF THE "COLD WAR"
4. HISTORICAL ORIGINS OF THE COLD WAR

5. SPECIFIC EVENTS CAUSING COLD WAR TENSIONS BETWEEN THE U.S. & U.S.S.R.

   a) Berlin Blockade
   b) Korean War
   c) Hungarian Revolt-Suppression
   d) The Rise of Communist Cuba
   e) The U-2 Incident
   f) Berlin Wall
   g) The Cuban Missile Crisis
   h) Vietnam
   i) Middle East Conflicts
   j) Czechoslovakia 1968
   k) African Conflicts - Angola
   l) Afghanistan 1980
   m) The Arms Race: 1945-present

6. DETENTE: PAST, PRESENT & FUTURE

IV. CONTROLLING NUCLEAR WEAPONS & THE THREAT OF NUCLEAR WAR

A. SEVEN POSSIBLE DISASTERS THAT COULD DESTROY HUMAN CIVILIZATION ON EARTH

B. MAD (MUTUAL ASSURED DESTRUCTION): THE BASIS FOR WORLD PEACE TODAY

C. THE EFFECTS OF NUCLEAR WEAPONS

D. U.S. DETERRENCE: THE "TRIAD" SYSTEM

E. DETECTION & WARNING: WHAT WOULD WE DO IN A NUCLEAR ATTACK

F. U.S. NUCLEAR RESPONSE STRATEGIES

G. HOW NUCLEAR WAR MIGHT OCCUR

H. CONSEQUENCES OF A MAJOR NUCLEAR WAR (SHORT RANGE & LONG RANGE)

I. THE PROBLEM OF PROLIFERATION

J. SURVIVING A NUCLEAR WAR

K. STOPPING THE "DOOMSDAY CLOCK": GETTING A CONTROL ON NUCLEAR WEAPONS TODAY

V. TERRORISM: INCREASING WORLD VIOLENCE TODAY

A. CAUSES OF TERRORISM TODAY

B. EFFECTS (NATIONAL AND INTERNATIONAL) OF TERRORISM

C. TERRORISM AROUND THE WORLD: TERRORIST GROUPS AND THEIR ACTIVITIES TODAY

D. CASE STUDY: TERRORISM IN NORTHERN IRELAND

E. CONTROLLING WORLD TERRORISM

VI. THE WORLD ENERGY DILEMMA

A. THE MAIN ISSUES

1. CONVINCING THE PEOPLE
2. DIMINISHING RESOURCES vs. INCREASING DEMAND
3. ENERGY AND THE ENVIRONMENT

B. THE CURRENT ENERGY SITUATION

1. AN ABUNDANCE OF ENERGY
2. FOSSIL FUELS: OUR FINITE RESOURCES
3. ENERGY AND OUR ADVANCED TECHNOLOGICAL SOCIETY
4. OIL, O.P.E.C. & THE U.S.

C. SOME UNDERLYING CAUSES

1. AFFLUENCE: THE BIGGER THE BETTER . . .
2. THE CONVENIENCE ETHIC
3. OUR WASTEFUL WORLD
4. THE "REVOLUTION OF RISING EXPECTATIONS"

D. OUR ENERGY FUTURE

1. THE PRESENT ENERGY OPTIONS

a) Hydroelectric power
b) Domestic petroleum sources
c) Natural gas
d) Full Coal utilization
e) Nuclear fission

2. FUTURE ENERGY SOURCES: THE BIG THREE

a) Geothermal
b) Nuclear Fusion
c) Solar

3. OTHER FUTURE ENERGY SOURCES

a) Wind
b) Oil shale/tar sands
c) Ocean tidal power
d) Magnetohydrodynamics
e) Coal gasification
f) Coal liquification
g) Biomass conversion
h) Synthetic fuels

E. WHAT MUST BE DONE

1. THE OUTLOOK: AN AGE OF LIMITS
2. NEEDED: A NATIONAL ENERGY POLICY
3. THE CONSERVATION ETHIC

VII. TOTALITARIANISM

A. DEFINITION

B. FACETS OF TOTALITARIANISM

C. CASE STUDIES OF TOTALITARIAN SOCIETIES: PAST, PRESENT, AND FUTURE (1984)

D. MAO'S CHINA: A SPECIAL STUDY

VIII. THE WORLD FOOD PROBLEM: FEAST OR FAMINE

A. THE EFFECTS OF WORLD FAMINE ON PEOPLE

1. A HISTORICAL LOOK AT FAMINE
2. PSYSIOLOGICAL EFFECTS OF MALNUTRITION AND STARVATION

B. AREAS OF THE WORLD AFFECTED BY MALNUTRITION, STARVATION, AND THE THREAT OF FAMINE

C. WHY SHOULD THE UNITED STATES BE CONCERNED?

D. CAUSES OF THE WORLD FOOD CRISIS: PAST, PRESENT, & FUTURE

E. THE WORLD POPULATION PROBLEM: A MORE DETAILED LOOK AT THE PROBLEM

F. IMMEDIATE OUTLOOK FOR THE FUTURE

G. SUGGESTED SOLUTIONS TO THE WORLD FOOD PROBLEM

IX. FUTURISM: A FACTUAL AND HYPOTHETICAL VIEW OF OUR CHANGING WORLD

A. TECHNOLOGY: THE MODERN ENGINE OF CHANGE

B. PREDICTING THE FUTURE: SCIENTIFIC METHODS REVIEWED

C. SCIENCE FICTION: PRESENT MYTH OR FUTURE FACT (A HISTORICAL OVERVIEW)

D. CREATING AN IMAGINARY WORLD

1. THE WORLD AT ITS BEST
2. THE WORLD AT ITS WORST
3. A REALISTIC FUTURE

E. FUTURE SHOCK: COPING OR COPPING OUT

F. INDIVIDUAL RESPONSIBILITIES

DESCRIPTION OF TEACHING UNITS

I. TWO BASIC CONCEPTS: "SPACESHIP EARTH" & "OUR SHRINKING WORLD"

This unit should be designed to give the student an awareness and understanding of the uniqueness and isolation of our earthly environment. Emphasis is placed on the importance of utilizing the resources of our earth in a manner designed to eliminate waste so that we can continue to maintain and improve our quality of life so dependent today upon these finite resources. The student will also see how the earth, with all types of people, fauna, and flora exists in an interdependent system.

II. THE EMERGING WORLD: A GLOBAL STRUGGLE OF "RICH" AND "POOR"

The recent modern history of the world has revolved around the relationships, policies, and actions of the countries of North America, Europe, and Eurasia. In recent decades, a growing influence has been felt from the emergence of the underdeveloped countries of the world. With the coalescence of these countries into the concept of the Third World, this influence has become more and more felt by the so-called "developed" countries. The current world energy dilemma illustrates the significance these Third World countries can have when they flex their political, economic, and "resource" muscles. The role these countries are playing and will play in the future cannot be ignored. This unit should be designed to give the student an understanding of the impact of the "revolution of rising expectations" on the "poor" countries of the world and its impact on their relationships with the industrially advanced countries, especially the United States.

III. WORLD FOOD CRISIS: FEAST OR FAMINE

This unit can be designed to provide the student with an understanding of the world's food shortage problems by studying the impact of malnutrition on human growth and development, the causes of the world food shortages in various areas of the world, and current efforts being made to alleviate this problem. The student can also study the historical role of the United States in assisting the world's fight against hunger.

IV. WORLD POPULATION PROBLEM

This unit can provide the student with a historical overview of the world's population growth and the major causes of the rapid population increase in the past two centuries. Emphasis can be placed on the problems created by an uncontrolled population growth, particularly among the so-called "poor" countries of the world as well as the outlook for the future in terms of population and resources.

V. WAR, CONFRONTATION, AND GROWING WORLD TERRORISM

This unit should be designed to make the student aware of the danger and futility of using military force capriciously to resolve international disputes. The tremendous destructive power of the various modern military arsenals (nuclear, chemical and biological) possessed by many countries in the world today should be discussed. The specific effects of modern weapons (such as the physical, social and psychological effects) can be studied. Additionally, students might be interested in learning about the possible measures they could take to enhance their chances of survival should a holocaust occur. Finally, students should understand that as more confrontations occur around the world, and as terrorism continues to expand, the world moves further and further away from stability and peace.

VI. THE WORLD ENERGY DILEMMA

This unit can be designed to give the student an awareness of the current energy situation in the world. The location and finite nature of the world's major energy resources can be explained. Discussions of the world's dependency upon these resources should be included. Emphasis should be placed upon the impact of energy shortages on our daily lives, the outlook for developing new energy resources to meet our needs, and the importance of individual participation in resolving the conflict between energy consumption and limited energy resources.

VII. TOTALITARIANISM: 1984 ALMOST HERE

The purpose of this unit would be to define the concept of "totalitarianism" and describe those characteristics that are traditionally identified with such political

systems. Historically, representative totalitarian societies are studied to show the actual lifestyle of people under such systems and the techniques used to maintain control over them. The ultimate goal of this unit, however, would be to reinforce those desirable individual and civic behavior patterns and beliefs best suited to prevent the growth of such totalitarian systems in our own country.

VIII. FUTURISTICS: THE PROBABILITIES AND POSSIBILITIES FOR OUR CHANGING WORLD

The purpose of this unit would be to give the student an understanding of the forces that will be influencing the development of society in the remainder of the Twentieth Century and the early decades of the Twenty-First Century. The student can be given the opportunity to develop skills necessary for meeting the rapid changes that will be taking place over the next few decades. An understanding of the need for planning one's life beyond the next few years in order to maximize one's potential is another important concept to consider.

TEACHER-DIRECTED ACTIVITIES

The following activities are suggested for the teacher to use, or modify. Hopefully, these suggestions will serve as a springboard for development of additional activities that will prove useful in the classroom. These activities are designed to be used with those "general resources" readily available in all school libraries (encyclopedias, major magazine periodicals, and history books).

1. Have each student prepare a poster (collage, drawing, or painting) illustrating his/her opinion as to the meaning (importance) of International Law. The posters can be displayed and discussed in class.

2. Students can be assigned a class project on the United Nations. The class can be divided into groups with each being given a separate assignment on the United Nations:

   A. The "League of Nations"

      1. When and why was it formed?

      2. Why did it fail?

   B. When, why, and by whom was the "United Nations" founded?

   C. The physical structure of the U.N.: It's separate components and the function (purpose) of each.

   D. The involvement of the U.N. in specific world events:

      1. Korean War

      2. Congo Civil War

      3. U.N. Peacekeeping Force in the Sinai (Between Isreal and Egypt).

   E. Criticisms of the United Nations.

3. Divide the class into class report groups to research and report on the types of international laws (treaties) involving the following areas:

   A. Nuclear Test Ban Treaty (1963)
   B. Nuclear Non-Proliferation Treaty (1964)
   C. Strategic Arms Limitation Treaty I (1972)
   D. Fishing Rights (in territorial waters)
   E. Endangered Species
   F. Environmental Pollution
   G. International Law of the Sea (being debated as of 1981)

4. Divide the students into class report groups to research and report on the role of international law in eliminating or controlling the following:

   A. Slavery (slave trade)
   B. Genocide
   C. War crimes
   D. Terrorism

5. Students can prepare studies of the weaknesses (failures) of international law. As a starting point, the students could investigate the "U.S./Iran Hostage Crisis" (1979-1981) and the failure of international law, specifically the "World Court" (The International Court of Justice at the Hague), to resolve the crisis. A follow-up activity would be to consider possible ways to improve the enforcement of international law and the problems such enforcement could generate.

6. The teacher (or students) could prepare a study unit on the history of the International Court of Justice (World Court) at the Hague. Areas of consideration could be centered on the reason for the creation of the court, some specific cases in which the court has been involved, and the criticisms of the court.

7. The students can enter into a brainstorming activity. The teacher would list on the chalkboard such international laws that the students believe are needed in order to eliminate the current "problems of the world" (i.e., war, arms race, energy, poverty-hunger, overpopulation, terrorism, etc.). Discussion should follow on the methods of enforcement of their suggested laws and the problems that might arise. Hopefully, students will realize that solutions to such world problems are not as simple as they first seem.

8. Students could be asked to keep a notebook of news stories (newspapers, magazines, or television broadcasts) related to international relations (treaties, agreements, etc.) between countries. The stories could be clipped articles with summaries or just the student's summary of the story. The teacher could prepare a list of such events to be discussed once a week (or each day). Students with summaries of those specific stories could receive additional credit for their thoroughness although all students with such notebooks could be given credit (possibly as a test grade, daily grade, or so many points on a test).

9. A very effective way to encourage students to keep up with what is going on around the world is to have a "Current Events Day" once a week (Friday is an ideal day). One way of doing this is to have the students turn in "notecards" (2 to 4 of them) each week on specific events taking place in the world for that week. Students would be asked to explain one, or more, of the events they chose to write a notecard on, and they could be given credit for these explanations (a daily grade, a test grade, or a certain number of points on a test). Bonus points could be given to those cards that relate to international law.

10. Another technique that can be used to keep the students involved in what is happening in the world is to have the students write a page or two in class each Friday on some news event from the week before relating to international law. The teacher can select the topics and put them on the board and allow the students to choose from the list. This could be done as a "required" assignment each week or as an "extra-credit" assignment. The value of the assignment would be decided by the teacher.

11. Students generally respond most readily to assignments that give them extra-credit to help their grades, and to competitive contests (like spelling bees). A good way to encourage students to pay attention to the news (newspapers, magazines, or T.V. news shows) is for the teacher to have a "Current Events" contest day once a week (again, Friday is a good day.) The procedure would be as follows:

    * Each day the teacher would make a list of questions based upon events reported in the news (local newspapers and/or television news broadcasts). These questions should be mostly short answer although some questions requiring explanations should be included.

    * In class each Friday the teacher could ask the questions one at a time with the first student who raises his/her hand getting to answer the question. If that person gets the answer correct, he/she would get credit. If the question is answered incorrectly, there would be no penalty; the teacher would simply call on another student.

    * Correct answers could be worth 1/2 or 1 point each (to be added to a test score, a six weeks average, a final exam, or, if the teacher uses a "point system",

the points could be added to the total points each student earns).

* Questions relating to international law or treaties could be doubled in value and good explanation questions could be worth even more. (Watch your students' reactions to a 5 or 10 point question about an item that was in the news. The following week, most of your students will be able to answer major news questions with more that just a short answer.)

* It is recommended that a separate notebook be kept for purposes of recording the points earned each week as is shown below:

John Smith ||||
Jane White |||| |

THE TRAVEL CLUB

TO THE TEACHER

One of the most essential ideas that all people, particularly young people, must understand and accept is that law is essential to the existence of all societies, regardless of the complexity. Law provides the framework for the cooperation needed in societies to enable all citizens to develop to their best ability. The following activity, entitled The Travel Club, gives students the opportunity to understand that law, regardless of its simplicity or best intentions, is still needed to insure survival.

PROCEDURE

1. Divide the class into groups of six to eight students. Have the groups arrange themselves in a circle so that each person can see everyone else.

2. Give each student a copy of The Travel Club. Instruct them to read it and then decide what they are going to do.

3. Do not appoint group leaders -- allow them to emerge. Also do not appoint the group recorder. It will be necessary for you to tell the students that the group's decisions must be recorded and that one person should be responsible for that duty, but allow the group to make their own decision.

4. Allow discussion for 20 minutes and then ask that person who became the leader of each group to tell what his/her group decided to do.

5. The teacher should then discuss with the class his/her observations of each of the groups. This is an important step because it is essential for the students to understand what happened. Did they succeed or fail in their attempt to form a "society" to insure survival, and eventual rescue? What did they fail to do that they now wish they had? The teacher should ask them whether, even in such a primitive situation, laws are necessary? What symbols, if any, did they adopt to signify authority? Why?

TEACHER OBSERVATIONS

Once the groups begin their discussions, the teacher should move around the room and keep notes as to the following types of developments. (NOTE You may want to write down this list of questions ahead of time for each group of students so that you can quickly fill in the answers as you observe the groups.)

1. Who began to assume dominance over the group in terms of leading the discussion or making the most suggestions?

2. Who made the most reasonable suggestions? What was the group reaction to these?

3. What was the first decision made by the entire group? How was it made (domination by one or a few; apathy by the majority; vote by the group, etc.)?

4. Who became the group recorder? How did that person get the responsibility?

5. What was the first rule (law) the group established?

6. Did the group establish any other rules (laws)? What were they?

EXTENDED ACTIVITY

The students might read the novel Lord of the Flies by William Golding. It tells the tale of a group of young children (ages 3-14) lost on a deserted island and struggling to survive the environment, their fears and each other. A movie has also been made of Lord of the Flies and can be rented from "Walter Reade 16", 241 East 34th Street, New York, N.Y. 10016 ($75.00)

THE TRAVEL CLUB

As members of an international travel club, you have flown to the largest mountain in a far away country. Since most of the members of the group are novices to hiking and no one is familiar with the area and its mountains, the club has hired a native guide for a two-week trip on foot into the mountains.

Since there are no villages or stores at which to stop during your hike, you are equipped with adequate supplies and camping gear for the fourteen-day trip.

On the sixth night when you are about halfway through a certain series of mountains, your native guide is involved in a 300 foot fall and is killed. His body cannot be recovered so now you have no maps. Outside of adequate supplies for about another week and your camping gear, you have no essential survivial equipment.

After an extensive search through the snow-covered terrain, you are unable to find any sign of other inhabitants, and no one can remember the route. You all realize there is little hope of being discovered and that this place might be your "home" for many years. Your goal is to survive! What should you do?

CONFLICT OR COOPERATION

TO THE TEACHER

This is a simulation which can be played to illustrate the consequences of international cooperation or conflict. Hopefully, the students will realize that for peace to exist in the world (and in nations), it takes cooperation. The only means society has of guaranteeing this cooperation is through law, and on the international level, this law takes the form of international treaties.

The simulation is comprised of a number of "Rounds", and each round contains a number of "Moves" (see the student activity sheet which follows). Each participant responds to either a question or a statement made by the Game Caller (teacher). These questions/statements should be developed by the teacher on current world issues.

The response that each participant makes to the question/statement indicates that he/she is going to be a "Cooperative Person" (symbolized by using the letter A in the blank) or a "Belligerent Person" (symbolized by using the letter B in the blank).

The object of the game is for the participants to score as many points as possible. However, when playing the game, have the chairs arranged so that each pair of students is sitting back to back and is unable to see each other's moves. Each participant is not allowed to talk with the other until "Conferences" are called by the Game Caller.

GAME SCORING

Each move is scored before proceeding to the next question/statement. The score of each move is determined by the comparison of the moves made by the "paired" participants. The scores are either +1 or -1 and are determined as follows:

* If both participants move to be "cooperative" (both put "A" in the blanks) then each participant will earn a +1 for that move.

* If both participants move to be "belligerent" (both put "B" in the blanks) then each participant will earn a -1 for that move (i.e. each loses a point).

* If one participant moves to be "cooperative" and the other moves to be "belligerent" then the belligerent participant (the one who placed a

"B" in the blank) will earn a +1 and the cooperative participant (the one who placed a "A" in the blank) will earn a -1 (i.e. lose a point).

Remember, the participant with the most positive points will be declared the winner.

CONFERENCES

During the conferences, the participants should be told that they can discuss anything they want (the weather, what is for lunch, or how they will move during the next round). The idea of the conference is to get them to agree to move the same way each time (hopefully as a "Cooperative Person" so they will both earn positive points). This means that the participants should agree to move the same way each time despite the question/statement. In other words, they would follow "a game plan" rather than reacting to the question/statement. Observe your students to see if any of them "figure out" that strategy.

Tell them the conference will last for one minute. At the end of that time start the game again. After two moves (to see how well they are cooperating), you can increase the stakes by announcing all point values for a single win are "Doubled" (do not allow a conference). Proceed with a "stirring" question/statement. At the end of Round 2, announce another "Conference" and then proceed with the game. You can increase the stakes again (after the conference is over) if you wish by stating that the next move only will be worth 5 points for a single win (-5 for the loser). It will be quite interesting to watch and see if one participant "stabs" the other one in the back after first agreeing to cooperate.

DISCUSSION QUESTIONS

After the game, the following questions can be posed:

1. Who scored the most points and why?

2. How did they feel after the first time their "partner" reneged on a deal to cooperate? The second time?

3. When did the first "Stab-in-back" occur (at the double or 5 point move)? Why?

4. Do countries behave the same way toward each other as the "partners" did? Examples?

5. What was the real strategy of the game?

CONFLICT OR COOPERATION
(a simulation)

INSTRUCTIONS

The following activity is composed of a number of "rounds" with each "round" having 5 moves. For each "move", you must choose to be either "cooperative" by placing an "A" in the blank, or "belligerent" (uncooperative) by placing a "B" in the blank. Points can be earned by either both participants being cooperative or by one being belligerent when the other is cooperative. The person with the most positive points at the end of the game will win.

ROUND 1	ROUND 2	ROUND 3
_____1.	_____1.	_____1.
_____2.	_____2.	_____2.
_____3.	_____3.	_____3.
_____4.	_____4.	_____4.
_____5.	_____5.	_____5.
_____Total*	_____Total	_____Total

ROUND 4	GAME TOTALS
_____1.	Round 1 _____
_____2.	Round 2 _____
_____3.	Round 3 _____
_____4.	Round 4 _____
_____5.	
_____Total	Final Total _____

*The total is the positive points less the negative points.

SUGGESTED RESOURCES

What Citizens Need To Know About World Affairs, Social Issues Resources Series, Inc. (SIRS) P.O. Box 2507, Boca Raton, Florida, 33432. ($10.00 soft cover). An excellent source of up-to-date information regarding the major problems involving modern world affairs. This particular "text" (it is on the Alabama text selection list for 1981) touches on most of the topics described in the "Contemporary World Affairs" outline included in this unit with additional coverages of the role that "International Law" (World Court, Trade Agreements, S.A.L.T. Treaty, etc.) has played in World affairs to date

Blaney, Harry Clay, Global Challenges, New Viewpoint, 1979, 730 5th Avenue, New York, N.Y. 10022 ($12.95).

EVALUATION SHEET

Grade 9

To determine the usefulness of this Supplemental Materials Packet, the teacher is requested to answer and return this questionnaire. Your comments will be greatly appreciated.

1. What is your evaluation of this Packet?
   ( ) Excellent ( ) Above Average ( ) Average ( ) Poor

2. Does this Packet contain useful information?
   ( ) yes ( ) no

3. Does this Packet provide helpful suggestions and activities?
   ( ) yes ( ) no

4. Can the information and activities in this Packet easily be incorporated into your existing curriculum?
   ( ) yes ( ) no

5. How can this Packet be improved? (please specify, e.g. structure/organization, content/coverage, writing style, other). Use additional sheet.

6. If you have specific information/suggestions/activities that you feel would benefit other teachers, please attach to this evaluation sheet.

7. Please complete:

   Name: _____(optional)

   School: _____

   School Address: _____

   _____

   Telephone: ( ) _____

   Grades Taught: _____

   Years Taught: _____

8. Mail to:
   Administrative Office of Courts
   Attn: Julie Young
   817 South Court Street
   Montgomery, AL 36130